

# Outer Dowsing Offshore Wind

## Project Statements

### Policy Compliance Document

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# Acronyms & Definitions

## Abbreviations / Acronyms

Abbreviation / Acronym	Description
<b>2008 Act</b>	Planning Act 2008
<b>ALARP</b>	As Low As Reasonably Practicable
<b>AEOI</b>	Adverse Effect on Integrity
<b>AONB</b>	Area of Outstanding Natural Beauty
<b>AQMP</b>	Air Quality Management Plan
<b>ATC</b>	Air Traffic Control
<b>BAT</b>	Best Available Technique
<b>BEIS</b>	Department for Business, Energy & Industrial Strategy (now the Department for Energy Security and Net Zero (DESNZ))
<b>BNG</b>	Biodiversity Net Gain
<b>CAA</b>	Civil Aviation Authority
<b>CCS</b>	Carbon Capture and Storage
<b>CCUS</b>	Carbon Capture, Usage and Storage
<b>CCW</b>	Countryside Council for Wales
<b>CNP</b>	Critical National Priority
<b>CNS</b>	Communications, Navigation and Surveillance
<b>CoCP</b>	Code of Construction Practice
<b>COMAH</b>	Control of Major Accident Hazards
<b>CPNI</b>	Centre for the Protection of National Infrastructure
<b>DAD</b>	Design Approach Document
<b>DCO</b>	Development Consent Order
<b>DECC</b>	Department of Energy & Climate Change, now the Department for Energy Security and Net Zero (DESNZ)
<b>DESNZ</b>	Department for Energy Security and Net Zero
<b>dML</b>	Deemed Marine Licence
<b>DNO</b>	Distribution Network Operator
<b>EA</b>	Environment Agency
<b>EAP</b>	Early Adopters Program
<b>ECC</b>	Export Cable Corridor
<b>EEZ</b>	Exclusive Economic Zone
<b>EIA</b>	Environmental Impact Assessment
<b>EMF</b>	Electromagnetic Fields
<b>ENCA</b>	Enabling a Natural Capital Approach
<b>EP</b>	Environmental Permitting
<b>EPR</b>	Environmental Permitting (England and Wales) Regulations 2016
<b>EPS</b>	European Protected Species
<b>ES</b>	Environmental Statement
<b>ESO</b>	Electricity System Operator
<b>ExA</b>	Examining Authority
<b>FFC</b>	Flamborough and Filey Coast
<b>FRA</b>	Flood Risk Assessment
<b>GES</b>	Good Environmental Status
<b>GHG</b>	Greenhouse gases

Abbreviation / Acronym	Description
<b>GW</b>	Gigawatts
<b>HDD</b>	Horizontal Directional Drilling
<b>HRA</b>	Habitats Regulations Assessment
<b>HSE</b>	Health and Safety Executive
<b>IROPI</b>	Imperative Reasons of Overriding Public Interest
<b>LEA</b>	Local Economic Assessment
<b>LNG</b>	Liquified Natural Gas
<b>LSE</b>	Likely Significant Effects
<b>LVIA</b>	Landscape Visual Impact Assessment
<b>MCA</b>	Maritime and Coastguard Agency
<b>MCAA</b>	Marine and Coastal Access Act (MCAA)
<b>MCZ</b>	Marine Conservation Zone
<b>MDS</b>	Maximum Design Scenario
<b>MMO</b>	Marine Management Organisation
<b>MMMP</b>	Marine Mammal Mitigation Protocol
<b>MO</b>	Met Office
<b>MOD</b>	Ministry of Defence
<b>MPA</b>	Marine Protected Areas
<b>MPCP</b>	Marine Pollution Contingency Plan
<b>MPI</b>	Multi-purpose Interconnector
<b>MPS</b>	Marine Policy Statement
<b>MSL</b>	Mean Sea Level
<b>NE</b>	Natural England
<b>NGSS</b>	National Grid Onshore Substation
<b>NPPF</b>	National Planning Policy Framework
<b>NPS</b>	National Policy Statement
<b>NPS EN-1</b>	National Policy Statement for Energy
<b>NPS EN-3</b>	National Policy Statement for Renewable Energy Infrastructure
<b>NPS EN-5</b>	National Policy Statement for Electricity Networks Infrastructure
<b>NRA</b>	Navigational Risk Assessment
<b>NRW</b>	Natural Resources Wales
<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>NSWWS</b>	National Severe Weather Warning Service
<b>ODOW</b>	Outer Dowsing Offshore Wind
<b>OFGEM</b>	Office of Gas and Electricity Markets
<b>OLEMS</b>	Outline Landscape and Ecological Management Strategy
<b>OLS</b>	Obstacle Limitation Surfaces
<b>ONR</b>	Office for Nuclear Regulation
<b>ORCP</b>	Offshore Reactive Compensation Platform
<b>ORE</b>	Offshore Renewable Energy
<b>OTNR</b>	Offshore Transmission Network Review
<b>OCoCP</b>	Outline Code of Construction Practice
<b>OWF</b>	Offshore Wind Farm
<b>OSS</b>	Offshore Substation
<b>OnSS</b>	Onshore Substation
<b>PCR</b>	Post Consultation Report
<b>PEIR</b>	Preliminary Environmental Information Report

<b>Abbreviation / Acronym</b>	<b>Description</b>
<b>PPE</b>	Personal Protection Equipment
<b>PPG</b>	Planning Policy Guidance
<b>PTS</b>	Permanent Threshold Shift
<b>PPS</b>	Planning Policy Statements
<b>PPS25</b>	Planning Policy Statement 25
<b>PRoW</b>	Public Right of Way
<b>RBMP</b>	River Basin Management Plan
<b>REZ</b>	Renewable Energy Zone
<b>RIAA</b>	Report to Inform Appropriate Assessment
<b>RYA</b>	Royal Yachting Association
<b>SAC</b>	Special Area of Conservation
<b>SEPA</b>	Scottish Environment Protection Agency
<b>SFRA</b>	Strategic Flood Risk Assessment
<b>SIP</b>	Site Integrity Plan
<b>SMP</b>	Shoreline Management Plan
<b>SNCB</b>	Statutory Nature Conservation Body
<b>SoCG</b>	Statement of Common Ground
<b>SoS</b>	Secretary of State
<b>SPA</b>	Special Protection Area
<b>SPZ</b>	Source Protection Zone
<b>SSSI</b>	Site of Special Scientific Interest
<b>SuDS</b>	Sustainable Drainage System
<b>SLVIA</b>	Seascape, Landscape and Visual Impact Assessment
<b>TAN</b>	Technical Advice Notes
<b>TAG</b>	Transport Analysis Guidance
<b>WHS</b>	World Heritage Site
<b>WFD</b>	Water Framework Directive
<b>WTG</b>	Wind Turbine Generators
<b>UXO</b>	Unexploded Ordnance

## Terminology

Term	Definition
<b>400kV cables</b>	High-voltage cables linking the OnSS to the NGSS.
<b>400kV cable corridor</b>	The 400kV cable corridor is the area within which the 400kV cables connecting the OnSS to the NGSS will be situated.–
<b>The Applicant</b>	GT R4 Ltd. The Applicant making the application for a DCO.– The Applicant is GT R4 Limited (a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development (GULF)), trading as Outer Dowsing Offshore Wind. The Project is being developed by Corio Generation (a wholly owned Green Investment Group portfolio company), TotalEnergies and GULF.
<b>Array area</b>	The area offshore within which the generating station (including wind turbine generators (WTG) and inter array cables), offshore accommodation platforms, offshore transformer substations and associated cabling will be positioned.
<b>Baseline</b>	The status of the environment at the time of assessment without the development in place.–
<b>Biodiversity Net Gain</b>	An approach to development that leaves biodiversity in a measurably improved state than it was previously. Where a development has an impact on biodiversity, developers are encouraged to provide an increase in appropriate natural habitat and ecological features over and above that being affected, to ensure that the current loss of biodiversity through development will be halted and ecological networks can be restored.–
<b>Connection Area</b>	An indicative search area for the NGSS.
<b>Cumulative Effects</b>	The combined effect of The Project acting additively with the effects of other developments, on the same single receptor/resource.
<b>Cumulative Impacts</b>	Impacts that result from changes caused by other present or reasonably foreseeable actions together with The Project.
<b>Deemed Marine Licence (dML)</b>	A marine licence set out in a Schedule to the Development Consent Order and deemed to have been granted under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009.
<b>Development Consent Order (DCO)</b>	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
<b>Early Adopters Program (EAP)</b>	A process launched in April 2023 by the Planning Inspectorate, and adopted by seven NSIP projects including ODOW, to trial potential components of a future enhanced pre-application service for applications decided under procedures set out in the Planning Act 2008 (2008 Act).
<b>Effect</b>	Term used to express the consequence of an impact. The significance of an effect is determined by correlating the magnitude of an impact with the sensitivity of a receptor, in accordance with defined significance criteria.–
<b>EIA Regulations</b>	Infrastructure Planning (EIA) Regulations 2017.
<b>Environmental Impact Assessment (EIA)</b>	A statutory process by which certain planned projects must be assessed before a formal decision to proceed can be made. It involves the collection and consideration of environmental information, which fulfils the assessment requirements of the EIA Regulations, including the publication of an Environmental Statement (ES).
<b>Environmental Statement (ES)</b>	The suite of documents that detail the processes and results of the EIA.
<b>Evidence Plan</b>	A voluntary process of stakeholder consultation with appropriate Expert Topic Groups (ETGs) that discusses and, where possible, agrees the detailed approach

Term	Definition
	to the EIA and information to support Habitats Regulations Assessment (HRA) for those relevant topics included in the process, undertaken during the pre-application period.–
<b>Export cables</b>	High voltage cables which transmit power from the Offshore Substations (OSS) to the Onshore Substation (OnSS) via an Offshore Reactive Compensation Platform (ORCP) if required, which may include one or more auxiliary cables (normally fibre optic cables).
<b>Habitats Regulations Assessment (HRA)</b>	A process which helps determine likely significant effects and (where appropriate) assesses adverse impacts on the integrity of European conservation sites and Ramsar sites. The process consists of up to four stages of assessment: screening, appropriate assessment, assessment of alternative solutions and assessment of imperative reasons of over-riding public interest (IROPI) and compensatory measures.
<b>Impact</b>	An impact to the receiving environment is defined as any change to its Baseline condition, either adverse or beneficial.
<b>Intertidal</b>	The area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS).
<b>Inter-array cables</b>	Cable which connects the wind turbines to each other and to the offshore substation(s), which may include one or more auxiliary cables (normally fibre optic cables).
<b>Interlink cables</b>	Cable which connects the Offshore Substations (OSS) to one another, which may include one or more auxiliary cables (normally fibre optic cables).
<b>Landfall</b>	The location at the land-sea interface where the offshore export cables and fibre optic cables will come ashore.
<b>Link boxes</b>	Underground metal chamber placed within a plastic and/or concrete pit where the metal sheaths between adjacent export cable sections are connected and earthed.
<b>Maximum Design Scenario (MDS)</b>	The project design parameters, or a combination of project design parameters that are likely to result in the greatest potential for change in relation to each impact assessed.
<b>Mitigation</b>	Mitigation measures are commitments made by The Project to reduce and/or eliminate the potential for significant effects to arise as a result of The Project. Mitigation measures can be embedded (part of the project design) or secondarily added to reduce impacts in the case of potentially significant effects.
<b>National Grid Onshore Substation (NGSS)</b>	The National Grid substation and associated enabling works to be developed by the National Grid Electricity Transmission (NGET) into which The Project's 400kV Cables would connect.
<b>National Policy Statement (NPS)</b>	A document setting out national policy against which proposals for NSIPs will be assessed and decided upon.–
<b>NSIP Reform Action Plan</b>	An Action Plan launched in February 2023 by Department for Levelling Up, Housing & Communities to reform the NSIP regime to ensure the effectiveness and resilience of the planning regime for the growing pipeline of critical infrastructure projects
<b>Offshore Export Cable Corridor (ECC)</b>	The Offshore Export Cable Corridor (Offshore ECC) is the area within the Order Limits within which the export cables running from the array to landfall will be situated.

Term	Definition
<b>Offshore Reactive Compensation Platform (ORCP)</b>	A structure attached to the seabed by means of a foundation, with one or more decks and a helicopter platform (including bird deterrents) housing electrical reactors and switchgear for the purpose of the efficient transfer of power in the course of HVAC transmission by providing reactive compensation.
<b>Onshore Export Cable Corridor (ECC)</b>	The Onshore Export Cable Corridor (Onshore ECC) is the area within which the export cables running from the landfall to the onshore substation will be situated.
<b>Onshore Infrastructure</b>	The combined name for all Onshore infrastructure associated with The Project from landfall to grid connection.
<b>Onshore Substation (OnSS)</b>	The Project's onshore HVAC substation, containing electrical equipment, control buildings, lightning protection masts, communications masts, access, fencing and other associated equipment, structures or buildings; to enable connection to the National Grid.
<b>Outer Dowsing Offshore Wind (ODOW)</b>	The Project.
<b>Order Limits</b>	The area subject to the application for development consent. The limits shown on the work plans within which The Project may be carried out.
<b>The Planning Inspectorate</b>	The agency responsible for operating the planning process for NSIPs.
<b>Pre-construction and post-construction</b>	The phases of The Project before and after construction takes place.
<b>Preliminary Environmental Information Report (PEIR)</b>	The PEIR was written in the style of a draft ES and provided information to support and inform the statutory consultation process during the pre-application phase.
<b>The Project</b>	ODOW, an offshore wind generating station together with associated onshore and offshore infrastructure.
<b>Project Design Envelope</b>	A description of the range of possible elements that make up the Project's design options under consideration, as set out in detail in the Project description. This envelope is used to define the Project for Environmental Impact Assessment (EIA) purposes when the exact engineering parameters are not yet known. This is also often referred to as the "Rochdale Envelope" approach.
<b>Receptor</b>	A distinct part of the environment on which effects could occur and can be the subject of specific assessments. Examples of receptors include species (or groups) of animals or plants, people (often categorised further such as 'residential' or those using areas for amenity or recreation), watercourses etc.
<b>Strategic Compensation</b>	Collaborative approach by developers and/or government departments to secure compensation for adverse effects on the conservation objectives of a Marine Protected Area (MPA).
<b>Statement of Common Ground</b>	A statement of common ground is a written statement produced jointly between The Applicant and another Interested Party setting out the areas of agreement and /or disagreement between parties.
<b>Statutory Consultee</b>	Organisations that are required to be consulted by the Applicant, the Local Planning Authorities and/or The Planning Inspectorate during the pre-application and/or examination phases, and who also have a statutory

Term	Definition
	responsibility in some form that may be relevant to The Project and the DCO application. This includes those bodies and interests prescribed under Section 42 of the Planning Act 2008.
<b>Study Area</b>	Area(s) within which environmental impact may occur – to be defined on a receptor-by-receptor basis by the relevant technical specialist.
<b>Subsea</b>	Subsea comprises everything existing or occurring below the surface of the sea.
<b>Transboundary Impacts</b>	Transboundary effects arise when impacts from the development within one European Economic Area (EEA) state affects the environment of another EEA state(s).
<b>Trenchless technique</b>	Trenchless technology is an underground construction method of installing, repairing and renewing underground pipes, ducts and cables using techniques which minimize or eliminate the need for excavation. Trenchless technologies involve methods of new pipe installation with minimum surface and environmental disruptions. These techniques may include Horizontal Directional Drilling (HDD), thrust boring, auger boring, and pipe ramming, which allow ducts to be installed under an obstruction without breaking open the ground and digging a trench.

# Outer Dowsing Offshore Wind

## Project Statements

### Policy Compliance Document

### EN-1 Overarching National Policy Statement for energy

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# 1 Policy Compliance Document

## 1.1 Purpose of the Document

1. The statutory framework for determining applications for development consent for Nationally Significant Infrastructure Projects (NSIPs) such as Outer Dowsing Offshore Wind (ODOW) (The Project) is provided by the Planning Act 2008 (2008 Act).
2. In determining an application, Section 104 of the 2008 Act requires the Secretary of State (SoS) to have regard to, among other things:
  - any national policy statement (NPS) which has effect in relation to the type of development);
  - the appropriate marine policy documents (if any); and
  - any other matters which the SoS thinks are both important and relevant to the decision.
3. In deciding the application for development consent for the Project, the relevant NPSs to which the SoS must have regard in accordance with Section 104 of the 2008 Act, are:
  - Overarching National Policy Statement for Energy EN-1 (NPS EN-1) (2023) which sets out the Government's policy for the delivery of and the position in relation to the need for new Energy NSIPs, and the assessment principles and consideration of generic impacts in relation to such projects;
  - National Policy Statement for Renewable Energy Infrastructure EN-3 (NPS EN-3) (2023) which covers technology specific matters, including offshore wind; and
  - National Policy Statement for Electricity Networks Infrastructure EN-5 (NPS EN-5) (2023) which covers technology specific matters but mostly relates to the provision of overhead lines and, as such, is of limited relevance—as no new overhead lines are proposed as part of the Project's application.
4. The Marine Policy Statement (MPS) adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development. The relevant marine plans in respect of the Project are the East Inshore and East Offshore Marine Plans published in 2014.
5. GT R4 Ltd, a joint venture comprising Total Energies, Corio Generation and Gulf Energy Development, operating under the trading name ODOW, (the Applicant) has provided information on the Project in accordance with the NPSs (as well as other relevant plans and policies) in its Planning Statement and other application documents, as set out in Sections 1.2 and 1.3 below. However, the Applicant recognises the usefulness of a Policy Compliance Document as part of the Early Adopters Programme (EAP) to outline compliance with the relevant NPS(s), marine plans, local policy framework and any other relevant policy.
6. The Applicant has also assessed compliance with other national and local policies within this document.

## 1.2 The Planning Statement

7. The Applicant has submitted a Planning Statement (APP-297) as part of the Project's application to provide an overview of the scheme's compliance with relevant policy and to assist the Examining Authority (ExA) and SoS in their consideration of the application in the context of relevant policy
8. The Planning Statement sets out the need for the scheme in the context of the NPSs, marine and other national and local policy, as well as setting out a planning assessment that considers the relationship between the Project and those relevant policies.
9. The newly adopted NPSs set out a new policy presumption which responds to an identified Critical National Priority (CNP) for the provision of nationally significant low carbon infrastructure. This includes support for offshore wind, supporting onshore and offshore network infrastructure, and related network reinforcements. CNP Infrastructure is essential for achieving the UK's net zero emissions target by 2050, is strongly supported by Government and should be progressed as quickly as possible. The Planning Statement provides detail on the ways in which the Project will help to address the urgent need for CNP infrastructure.
10. For the reasons set out in the Planning Statement conclusions and executive summary, the Planning Statement demonstrates that the SoS can conclude that:
  - the Project would bring significant benefits when considered against a range of national, international and local policies;
  - would be in accordance with relevant NPSs and legislation;
  - would not lead to the UK being in breach of any of its international obligations;
  - the benefits of the Project outweigh any adverse impacts; and
  - that under the terms of S.104 of the 2008 Act, the development should therefore be consented.

## 1.3 The Environmental Statement

11. The Applicant has undertaken a full Environmental Impact Assessment (EIA) which has been summarised in the Environmental Statement (ES) Non-Technical Summary (APP-055). The ES accompanies the Project application and includes information on the relationship between the Project and the topic-specific planning policies outlined in the NPSs and other relevant policy documents including the MPS and national and local planning policies.
12. As part of the EIA process, the scope of assessment work has been undertaken in line with NPS EN-1, EN-3 and EN-5 to ensure that topic-specific policy tests are met, and that the proposed Project is therefore in accordance with the relevant NPS provisions. As set out in the Need, Policy and Legislative Context chapter of the ES (APP-057), relevant issues in NPS EN-1, EN-3 and EN-5 are identified and assessed in detail within the policy section of each topic-specific onshore and offshore ES chapters.

13. Further detail on the need for the Project, the site selection process and the iterative design process in the context of the NPSs is provided in ES Chapter 2 Need, Policy and Legislative Context (APP-057) and ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Alongside the demonstrated accordance with the NPSs in regards to the need for renewable energy, the ES and Planning Statement (APP-297) notes in particular that the Project will contribute to the achievement of sustainable development in the United Kingdom marine area, as detailed in the MPS and subsequent Marine Plans, and will also meet the renewable energy goals set out in Section 14 ‘Meeting the challenge of climate change, flooding and coastal change’ of the National Planning Policy Framework (NPPF) (December 2023). Paragraph 157 of the NPPF states that:

*“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”*

#### **1.4 Other Documents**

14. The responses in the Policy Compliance Tables signpost to other relevant documentation submitted as part of the Project’s application for development consent and provide a summary of the findings where appropriate. The following sources of information have been used to inform the responses to the Policy Compliance Tables:

- Consultation Report (APP-032);
- Outline Code of Construction Practice (OCocP) (APP-268);
- ES Chapter 2 Need, Policy and Legislative Context (APP-057);
- ES Chapter 4 Project Description (APP-058);
- Other topic-specific ES chapters and appendices (APP-062 - APP-234);
- Topic-specific outline plans (APP-269 – APP-296); and
- The draft Development Consent Order (DCO) including the deemed Marine Licences (dMLs) (APP-305)

#### **1.5 Policy Compliance Tables**

15. The tables below provide the relevant elements of NPS EN-1, EN-3 and EN-5 and demonstrate how the Project’s application is in accordance with them. Additionally, marine policies and key national and local planning policies, are considered where relevant.

16. The Planning Statement (APP-297) also includes a thematic policy review, with considerations for the SoS across the NPSs, and concludes that the Project meets all of the relevant policy requirements. The policy compliance tables expand upon the discussions relating to the NPSs within the Planning Statement, providing a comprehensive review of each policy in the order in which they appear in the NPSs.

17. The Applicant recognises the potential usefulness of a Policy Compliance Document to assist the ExA in making its recommendation, and the SoS in making a determination on the Project's application.

## 1.6 Consultation

18. The Applicant has engaged with the Planning Inspectorate during the production of the Policy Compliance Document to ensure that the information presented is useful to the Planning Inspectorate. The latest response received on 19 January 2024 made the following observation and confirmed that the proposed approach was acceptable:

*“While the Applicant has decided not to pursue some of advice emerging from the October 2023 draft document review, the clarity of purpose, clear relationship with the Planning Statement and clear presentation of this updated PCD is welcomed. Paragraph 5 of section 1.1 explains the thinking behind the PCD as ‘the Applicant recognises the usefulness of a Policy Compliance Document as part of the Early Adopters Programme (EAP) to outline compliance with the relevant NPS(s) (including the published drafts), the local policy framework and any other relevant policy’.*

*The PCD explains that further updates are planned, particularly (a) in relation to the proposed revised NPS's and (b) to include reference to EN-1, EN-3 and EN-5; Marine Policy; the National Planning Policy Framework and Planning Practice Guidance and Local Policy. It is clearly stated that the Applicant regards the PCD and Planning Statement as ‘standalone’ documents in which there will be inevitable overlap, but this will be kept to a minimum.*

*The PCD is organised systematically in the order of NPS paragraphs, and it is intended in future that the totality of NPS text will be included. The Planning Statement will also include a thematic policy review and the PCD expands on the discussion relating to the NPSs within the Planning Statement. In addition, according to para 16 of section 1.1 ‘The Applicant will provide a full Environmental Impact Assessment (EIA), which will be reported in the Environmental Statement (ES) that will accompany the application and will include information on the relationship between the Project and the topic-specific planning policies outlined in the NPSs and other relevant legislation, including the Marine Policy Statement’.*

*The submitted document refers in Table 1.1, which addresses the proposed development's accordance with NPS policy, only to EN-1. It is understood that the final submitted document will also include NPSs EN-3 and EN-5 and additionally, sections will be added to draw out and discuss key marine policies and key national and local planning policies, which are considered to be applicable.*

*It is considered that, within the parameters set by the Applicant, the PCD provides a helpful and, in due course, comprehensive guide to the steps taken to achieve compliance with NPS and other policies and where the evidence for compliance can be found. As such, it is a valuable addition to assessing the proposed development's accordance with policy at the examination and beyond.”*

19. Although the Planning Inspectorate has confirmed that the document is acceptable, it is noted within the response that not all advice had been followed. Full justification for this was given to the Planning Inspectorate during consultation. In brief, the Applicant has decided not to take the advice to signpost more throughout the table and thereby avoid repetition between the Planning Statement and Policy Compliance Document. The Applicant's stance is that these documents should be treated as standalone documents and a certain amount of duplication is therefore unavoidable. However, in an attempt to avoid unnecessary duplication, the compliance tables below only contain policy and information where necessary.
20. The Planning Inspectorate also noted in October 2023 that the Policy Compliance Document should be a 'live' document. Whilst the Policy Compliance Document may be updated, the document is not treated as a live document. The Applicant foresees that the document should only be updated when policy updates are made, if required.

## 2 NPS EN-1 Compliance

Table 1: NPS EN-1 Compliance

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
<b>EN-1 Part 3: The need for new nationally significant energy infrastructure projects</b>			
<b>EN-1 Part 3.1: Introduction</b>			
Introduction	EN-1 3.1.1 – 3.1.2	<p>This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers the need for such infrastructure to be urgent.</p> <p>However as acknowledged within the NPS it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.</p>	<p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030.</p> <p>The Project would include up to 100 wind turbine generators (WTGs), which will be located approximately 54km off the coast of Lincolnshire, England, and create enough energy each year to power hundreds of thousands of homes. The Project will create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The accompanying ES, outlined in the Non Technical summary(APP-055), describes any likely significant effects and how the Applicant intends to avoid, prevent and reduce these where possible. However, as noted in Section 3.1.2 of EN-1 , it is not possible to develop the necessary amounts of infrastructure without some significant residual adverse impacts.</p>
<b>EN-1 Part 3.2: Secretary of State decision making</b>			
	EN-1 3.2.1	The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and Nationally Determined Contributions.	<p>Section 5 of the Planning Statement (APP-297) outlines the established need for the Project with reference to paragraphs that support such development within EN-1. The Project would deliver up to 1.5 gigawatts (GW) of offshore wind which would support the government objective of increasing supply of renewable energy.</p> <p>Paragraph 3.3.21 of EN-1 states the UK Government has an ambition to deliver up to 50 GW of offshore wind by 2030 and in this policy context, the Project would make a substantial contribution towards meeting national renewable (wind) energy targets and should be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments.</p> <p>As such, the Project accords with national energy targets and is supportive of the Government’s objectives for the energy system. The Project represents an excellent opportunity to deliver both clean energy and to meet government targets.</p>
	EN-1 3.2.2	We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	The Project will support the Government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. This is because the Project is an offshore wind farm which will support the delivery of national renewable energy. The type of energy this Project will provide (wind) is expected to play a key role in supplying renewable energy by 2050.
	EN-1 3.2.3	It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government. This is the nature of a market-based energy system. With the exception of new coal or large-scale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the Government’s ambitions in energy policy and other policy areas.	<p>Section 5 of the Planning Statement (APP-297) outlines how the Project is in line with the Government’s ambitions for the energy system.</p> <p>Paragraphs 3.3.20- 3.3.24 of NPS EN-1 show there will be a major reliance on wind (and solar) to deliver renewable energy targets to meet national demand, and the Project will play a significant role in contributing towards meeting these targets. The NPS make it clear that there is an established need for the Project and substantial emphasis should be placed on this need by the SoS.</p>

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	EN-1 3.2.6	The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 includes offshore generation that does not involve fossil fuel combustion within the definition of low carbon infrastructure.
	EN-1 3.2.7	In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.	The need for the Project is further set out in Section 5 of the Planning Statement (APP-297).  As such, the Project is considered to accord with the provisions set out in the NPS.
	EN-1 3.2.9	This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.	The Project is covered by section 15 of the Planning Act 2008 (2008 Act). This document together with the Planning Statement confirms how the policies within this NPS and the relevant technology specific NPSs have been complied with in respect of the Project.
	EN-1 3.2.10	Other novel technologies or processes may emerge during the life of this NPS and can help deliver our energy objectives. Where these contribute towards the objectives set out in paragraph 3.2.1, the Secretary of State should determine that there is a need for such technologies and that substantial weight should be given to this need.	
<b>EN-1 Part 3.3: The need for new nationally significant energy infrastructure projects— Meeting energy security and carbon reduction objectives</b>			
The need for new nationally significant electricity infrastructure	EN-1 3.3.1	Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), the Project will deliver up to 100 WTGs with a capacity of approximately 1.5 GW and make a substantial contribution to meeting the demand for greater energy produced from renewable sources, whilst mitigating unexpected risks to the UK's energy system. The wider effects of the Project upon climate change are discussed within ES Chapter 31: Climate Change (APP-086).
	EN-1 3.3.2	The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases the overall costs of the system.	The Project will support the government's objective to achieve 50GW of offshore wind by 2030. This figure was revised upward from 40GW to 50GW in the April 2022 UK Government Energy Security Strategy (BESS) which is a key aspect of the UK Government's commitment to support essential services, and the business sector, in the wake of the global pandemic.  The Project will make a substantial contribution in meeting this demand for offshore wind energy. Through the delivery of up to 100 WTGS, the project will have a capacity of approximately 1.5GW as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057).  The Planning Statement (APP-297) outlines that there is an established urgent need for developments like the Project which are considered a CNP.
	EN-1 3.3.3	To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610- 800TWh in 2050.	As noted in the responses to the paragraph 3.2.1 and 3.2.2 of the NPS above, the Project is in accordance with the NPS and a substantial emphasis should be placed on this need by the Secretary of State (SoS). As stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project will deliver up to 100 WTGS and have a capacity of approximately 1.5GW which will make a substantial contribution in meeting the government's ambition of increasing supply from renewable sources to meet increasing demands on the UK's electricity system.
The need for different types of electricity infrastructure	EN-1 3.3.4-- 3.3.7	There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation.	The Project will support the government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. As outlined within both the Planning Statement (APP-297) and ES Chapter 2: Need, Policy and Legislative Context (APP-057), the government is seeking to meet the future increasing demand through several types of renewable sources,

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		<p>New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply.</p> <p>Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure. However, neither of these technologies, as with demand side response, are sufficient to meet the anticipated increase in total demand, and so cannot fully replace the need for new generating capacity.</p> <p>Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other. However, they are a means of transporting electricity rather than generating or storing it, so cannot replace those other types of electricity infrastructure in meeting the substantial increase in demand expected over the coming decades.</p>	<p>and the Government regards offshore wind farms, like the Project as a key mechanism to achieving this target.</p> <p>Therefore, there is an established need for the Project which will provide up to 100 WTG, with a capacity of approximately 1.5GW and make a makes a substantial contribution to the UK's renewable energy and energy security targets.</p>
<p>Alternatives to new electricity infrastructure.</p>	<p>EN-1 3.3.8 – 3.3.12</p>	<p>The government has considered alternatives to the need for new large-scale electricity infrastructure and concluded that these would be limited to reducing total demand for electricity through efficiency measures or through greater use of low carbon hydrogen in decarbonising the economy; reducing maximum demand through demand side response; and increasing the contribution of decentralised and smaller-scale electricity infrastructure. In addition, there are alternative ways of decarbonising heating and transportation, which are being developed alongside electrification of these sectors.</p> <p>Reducing total demand for energy is a key element of the government's strategy for meeting its energy objectives and we expect that increased energy efficiency measures could lead to a reduction in final energy demand from around 1550 TWh in 2019 to around 1000 TWh in 2050. However, even with a reduction in final energy demand the share of electricity in the system is likely to increase, potentially more than doubling by 2050 (see paragraph 3.3.3).</p> <p>The precise level of electricity demand during the transition to net zero is uncertain and could be affected by alternative means of decarbonising these sectors, such as the use of low carbon hydrogen, and the pace of that decarbonisation. However, it is prudent to plan on a conservative basis to ensure that there is sufficient supply of electricity to meet demand across a wide range of future scenarios, including where the use of hydrogen is limited.</p> <p>Demand side response, such as the use of thermal stores and smart charging of electric vehicles, can shift electricity demand, reducing the maximum amount of electricity required and therefore reduce the need for additional infrastructure. However, it cannot increase the total amount of electricity generated in the UK, or reduce the total amount of electricity consumed, and so cannot fully replace the need for new generating capacity to deliver our energy objectives.</p> <p>Decentralised and community energy systems such as micro-generation contribute to our targets on reducing carbon emissions and increasing energy security. These technologies could also lead to some reduction in demand on the main generation and transmission system. However, the government does not believe they will replace the need for new</p>	<p>While it is clear that reducing demand for energy is a key Government strategy, it is noted that even by reducing this demand, the share of electricity in the system is likely to increase (potentially more than double). The Project will contribute to ensuring that there is a sufficient supply of electricity to meet demand.</p> <p>The Project would contribute to the delivery of the 30 GW of renewable energy envisaged in NPS EN-1 and the ambition to deliver 40 GW of offshore wind by 2030 as set out in the UK Government's 2021 announcement, a figure which as noted within the Planning Statement (APP-297) was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement.</p>

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		large-scale electricity infrastructure to meet our energy objectives. This is because connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere.	
Delivering affordable decarbonisation	EN-1 3.3.16	If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.	As per the responses to the NPS provisions at paragraph 3.2.1 and 3.2.2, The Project will have a capacity of approximately 1.5GW and make a substantial contribution to the delivery of renewable energy and consequently will strengthen the national energy system. Moreover, as discussed within ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) the Government cites offshore wind farms, like the Project, as key mechanisms to facilitating a transition to net zero.
	EN-1 3.3.19	Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.	As stated in the response to the NPS provisions made at paragraph 3.3.2, wind energy will play a central role in the transition towards renewable energy supply nationally, supporting net zero ambitions. .
The role of wind and solar	EN-1 3.3.20 – 3.3.21	Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar. As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50GW of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade.	The Project will have an overall capacity of approximately 1.5GW and will contribute towards meeting the government’s target to deliver 50GW of offshore wind by 2030 and meet the objectives of the British Energy Security Strategy. As the Project will have a capacity in excess of 100MW it is defined as a Nationally Significant Infrastructure Project (NSIP) and the Applicant has submitted an application to the SoS for a Development Consent Order (DCO).
	EN-1 3.3.22 and 3.3.24	However it is recognised that ensuring affordable system reliability, today and in the future, means wind and solar need to be complemented with technologies which supply electricity, or reduce demand, when the wind is not blowing, or the sun does not shine.  Applications for offshore wind above 100MW or solar above 50MW in England, or 350MW for either in Wales, will continue to be defined as NSIPs, requiring consent from the Secretary of State (see EN-3).	
The need for electricity generating capacity	EN-1 3.3.58	Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	The project is a new, large scale renewable energy NSIP project that falls within the scope of NPS EN-1. The Project would help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1
	3.3.59	All the generating technologies mentioned above are urgently needed to meet the government’s energy objectives by: <ul style="list-style-type: none"> <li>▪ providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type)</li> <li>▪ providing an affordable, reliable system (through the deployment of technologies with complementary characteristics)</li> </ul> ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology)	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), offshore wind developments like the Project are critical in providing a secure, reliable, affordable, net zero consistent system by 2050.  The Project would contribute to the delivery of the 50 GW of offshore wind renewable energy envisaged in the NPS EN1 as set out in the UK Government’s 2022 Energy Security Statement announcement; a figure which is noted within the Planning Statement (APP-297). The Project will make a substantial contribution in achieving the government’s energy objectives through the delivery of up to 100 WTGs and a capacity of approximately 1.5GW.

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			<p>Furthermore, through the delivery of the above infrastructure and generating capacity, the Project will contribute to increasing national energy security.</p> <p>ES Chapter 31: Climate Change (APP-086) confirms that the Project will assist the UK in reducing greenhouse gas (GHG) emissions and the trajectory to net zero by 2050.</p>
	<p>EN-1 3.3.60 – 3.3.62</p>	<p>Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include:</p> <ul style="list-style-type: none"> <li>▪ Offshore Wind (including floating wind)</li> <li>▪ Solar PV</li> <li>▪ Wave</li> <li>▪ Tidal Range</li> <li>▪ Tidal Stream</li> <li>▪ Pumped Hydro</li> <li>▪ Energy from Waste (including ACTs) with or without CCS</li> <li>▪ Biomass with or without CCS</li> <li>▪ Natural Gas with or without CCS</li> <li>▪ Low carbon hydrogen</li> <li>▪ Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants</li> <li>▪ Geothermal</li> </ul> <p>The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above.</p> <p>Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.</p>	<p>The Project is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. The Project meets the thresholds set out in the 2008 Act and is classified as an NSIP and as set out in paragraph 4.2.5 the Project is classified as low carbon infrastructure, therefore the Project is CNP infrastructure.</p>
	<p>EN-1 3.3.63</p>	<p>Subject to any legal requirements, the urgent need for CNP Infrastructure to achieve our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>▪ Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were the Project not to be developed.</li> <li>▪ Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>▪ Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> <li>▪ Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>In terms of adverse impacts, these are discussed across the ES (APP-055). The ES has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the Project.</p> <p>Through the Habitats Regulation Assessments (HRA) process designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>Overall, the RIAA (APP-235) concludes that the Project would not undermine any of the conservation objectives for the designated sites and features. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the RIAA. As set out in the derogation case and the RIAA, the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p> <p>As demonstrated throughout the ES (APP-055), the RIAA (APP-235) and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS.</p>
The need for new electricity networks	EN-1 3.3.82 – 3.3.83	The Government has committed to reduce GHG emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand. Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	It is clear from the UK Energy White Paper that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This is reflected in the British Energy Security Strategy published in April 2022 where targets for offshore wind farm were extended to 50GW by 2023. As noted within Section 5 of the Planning Statement (APP-297), the Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise and security of supply throughout its operational life, thereby addressing important aspects of the UK’s legal obligations and Government policy.

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<b>EN-1 Part 4: Assessment Principles</b>			
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General Policies and Considerations	EN-1 4.1.2 – 4.1.4	<p>The Energy White Paper and British Energy Security Strategy emphasises the importance of the government’s net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs.</p> <p>Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.</p> <p>The presumption is also subject to the provisions of the Planning Act 2008 referred to in paragraph 1.1.4 of this NPS.</p>	<p>The Project meets the requirements of the relevant NPSs therefore the presumption in favour of granting consent to energy NSIPs should apply given the urgent need for this type of infrastructure. This is because the Project will deliver up to 100 WTGS and will have a capacity of approximately 1.5GW, as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057). Moreover, as outlined within the Planning Statement (APP-297), the government cites offshore wind farms, like the Project as critical mechanisms in supporting the nation in transitioning to net zero.</p> <p>The Planning Statement (APP-297) together with this document demonstrates that the Project accords with the relevant policies of the NPS and there are no specific policies that clearly indicate consent should be refused.</p>
Weighing impacts and benefits	EN-1 4.1.5	<p>In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:</p> <ul style="list-style-type: none"> <li>▪ its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits;</li> <li>▪ its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.</li> </ul>	<p>The Planning Statement (APP-297) sets out the planning balance for the Project drawing together the benefits of the scheme (as summarised above) and the assessment of potential adverse effects. The Planning Statement concludes that the Project would bring significant benefits and it is not considered that there are any adverse effects which outweigh the benefits of the Project, and as such would be in accordance with the NPS and should therefore be consented.</p> <p>The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055). The ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration.</p>
	EN-1 4.1.6	<p>In this context, the SoS should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1).</p>	<p>Sections 6 and 7 of The Planning Statement (APP-297) set out the planning balance for the Project drawing together the benefits of the scheme and the assessment of potential adverse impacts. It concludes that the Project would bring significant benefits, would be in accordance with the NPS, Marine Plans and Local Policy and should therefore be consented.</p> <p>When taking into account the evidence presented in the Planning Statement (APP-297) and this Policy Compliance Document, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with both national and local planning policy.</p>
	EN-1 4.1.7	<p>Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure. Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary, to ensure there are no significant and cumulative effects as a result of the application.</p>

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		Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.	The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055) which sets out how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS
Land Rights	EN-1  4.1.8 – 4.1.9	Where the use of land at a specific location is required to facilitate the development by providing for mitigation, and landscape enhancement, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land.  The SoS will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.	<p>The Applicant has sought to enter into voluntary agreements for all of the land and rights required to facilitate the Project. The status of negotiations is shown in Appendix 4 of the Statement of Reasons (APP-031).</p> <p>Compulsory acquisition powers are being sought to facilitate the development. Further details of the Project's need for, and approach to, compulsory acquisition are set out in the Statement of Reasons (APP-031).</p> <p>The Statement of Reasons (APP-031) has been prepared in accordance with the provisions of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the 2009 Regulations').</p> <p>This Statement is required to support the Application because the draft DCO (APP-303), if made would authorise the compulsory acquisition of interests or rights in land. The DCO would also confer on the Applicant the additional powers below:</p> <ul style="list-style-type: none"> <li>▪ extinguishment of private rights over land;</li> <li>▪ acquisition of subsoil only;</li> <li>▪ rights under or over streets;</li> <li>▪ imposition of restrictive covenants;</li> <li>▪ temporary use of land for carrying out the authorised development; and</li> <li>▪ temporary use of land for maintaining the authorised development.</li> </ul> <p>The Statement of Reasons (APP-031) forms part of the suite of documents submitted with the application for a DCO. The Statement should be read in conjunction with the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant, including:</p> <ul style="list-style-type: none"> <li>▪ Draft Development Consent Order (APP-303);</li> <li>▪ Explanatory Memorandum (APP-304);</li> <li>▪ Land Plans (including Onshore Crown and Special Category Land Plans) (APP-009, APP-010, APP-011);</li> <li>▪ Works Plans (onshore) (APP-005);</li> <li>▪ Funding Statement (APP-026)</li> <li>▪ Book of Reference (APP-025));</li> </ul> <p>The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out within the Statement of Reasons. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the DCO to secure the land and interests which are required for the Project. The public benefit of allowing the Project to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.</p>

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			Landscaping is required to screen the OnSS due to the flat reclaimed nature of the landscape. The purpose of this planting is to mitigate effects on landscape character and visual amenity. This has the added benefit of providing enhanced biodiversity as set out in the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).
Other documents	EN-1 4.1.10 – 4.1.12	<p>The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the “benchmark” for what is, or is not, an acceptable nationally significant energy development).</p> <p>The energy NPSs have taken account of the NPPF, the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate.</p> <p>Other matters that the SoS may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.</p>	<p>The Project has considered the NPS within the Planning Statement (APP-297) and this Policy Compliance Document. The Project is supported by the NPSs.</p> <p>Specific national, regional and local legalisation, policy and guidance are assessed in each topic chapter across the ES (APP-055). This document provides an overview of how the project responds to relevant legalisation at the national, regional and local levels, with the following documents assessed in aforementioned tables:</p> <ul style="list-style-type: none"> <li>▪ Marine Policy Statement (MPS) (2011)</li> <li>▪ National Planning Policy Framework (NPPF) (2023)</li> <li>▪ National Planning Practice Guidance</li> <li>▪ East Lindsey Local Plan Core Strategy 2016-2031 (Adopted July 2018)</li> <li>▪ South East Lincolnshire Local Plan 2011-2036 (Adopted March 2019)</li> </ul> <p>Further information regarding relevant legalisation at the national, regional and local levels is considered within Section 4.5 of the Planning Statement (APP-297).</p>
Development consent	EN-1 4.1.16 – 4.1.17	<p>The SoS should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p> <p>The SoS should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.</p>	<p>The draft DCO (APP-303) sets out the requirements that are considered as necessary, relevant to planning and all technical disciplines, such that the Project will comply with all requirements during all phases of the Project.</p> <p>The Applicant also volunteered for the Project to be part of the NSIP Reform Early Adopters Programme (EAP) which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions.</p>
	EN-1 4.1.18	<p>The SoS may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.</p>	<p>The Applicant recognises that there may be a need for certain planning obligations, as set out in the NPS. The Applicant will submit any such proposed planning obligation to the ExA and/or SoS for consideration before the close of the examination.</p>
Early engagement	EN-1 4.1.19 – 4.1.20	<p>Early engagement both before and at the formal pre-application stage between the Applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government’s pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the ExA and leading to a clear recommendation report to the SoS.</p> <p>This is particularly so in the case of Habitats Regulations Assessment (HRA) matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the Applicant</p>	<p>Stakeholder consultation and engagement have played a fundamental role in shaping the Project. A comprehensive account of all consultation undertaken to assist in the development of the Project is included within the Consultation Report (APP-032). Consultation is also detailed within Chapter 6 Technical Consultation (APP-061).</p> <p>The Applicant has volunteered for the Project to be part of the NSIP Reform EAP which facilitated the use of multiparty meetings during the pre-application stages.</p> <p>Stakeholder engagement primarily took place under the Evidence Plan Process (EPP), as documented in Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provided a useful stakeholder engagement approach on key elements and outcomes of the PEIR process</p>

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		to submit sufficient information to enable the SoS to conduct an Appropriate Assessment if required.	<p>which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes documented in the Consultation Report (APP-032).</p> <p>The Applicant has engaged in post-scoping, pre-application consultation with both statutory and non-statutory consultees (This is further set out in Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149), which includes further details of the series of regular consultation meetings held with key stakeholders on technical matters),</p> <p>In June 2023 the Applicant published a Preliminary Environmental Information Report (PEIR) in the format of a draft ES that formed the basis of the Application information submitted for statutory consultation under Sections 42 and 47 of the Planning Act 2008. This consultation period was open for 46 days between 7<sup>th</sup> June 2023 and 21 July 2023. Consultation feedback received has been carefully considered as the project design has been finalised and the documentation has been updated to form the final ES that accompanies the DCO (including deemed marine licence) application.</p> <p>The Applicant has prepared the ES on the basis of information submitted for statutory consultation under Sections 42, 47 and 48 of the 2008 Act.</p> <p>The consultation process described above informed several design/project changes. Table 1.1 within the Consultation report (APP--032), summarises onshore Project Refinement and key Consultation Feedback in relation to design elements.</p> <p>Refinements to the offshore Project parameters were not a central focus of the public consultation carried out under Section 47 of the 2008 Act but addressed by a number of statutory consultees both through bilateral engagement, the EPP and consultation carried out under Section 42.</p> <p>The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application. Full details of consultation on HRA and Compensation is set out in the Evidence Plan Report (APP-052).</p>
Financial and technical viability	EN-1 4.1.21- 4.1.22	<p>In deciding to bring forward a proposal for infrastructure development, the Applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions.</p> <p>Where the SoS considers that the financial viability and technical feasibility of the proposal has been properly assessed by the Applicant, it is unlikely to be of relevance in SoS decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).</p>	<p>The Applicant (GTR4 Ltd) is a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development. Each of these companies bring a demonstrable track record of delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty.</p> <p>The Compulsory Acquisition Funding Statement (APP-026) and Compensation Funding Statement (APP-264) confirm that the Applicant is confident that the Project will be commercially viable based on the assessments it has undertaken. As such the SoS can conclude with confidence that the financial and technical feasibility of the Project is assured, and therefore it is considered that the Project is in accordance with paragraph 4.1.22 of EN-1.</p>
<b>EN-1 Part 4.2: The critical national priority for low carbon infrastructure</b>			
The critical national priority for low carbon infrastructure	EN – 1 4.2.1 - 4.2.3	Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology.	The Project would contribute to decarbonising the power system by 2035, supporting 2050 net zero ambitions through the development of up to 100 WTG with a generating capacity of approximately 1.5GW .ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) provide commentary on the Government's ambition to increase supply of energy from renewable sources

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		<p>Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK’s strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.</p> <p>With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.</p>	<p>and the need for offshore wind farms, like the Project, as a key mechanism in supporting the transition towards net zero and supporting a shift away from fossils fuels.</p> <p>Regarding the references made to smart and strategic planning in Paragraph 4.2.3, The Project has been the subject of an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This process was conducted to ensure the Project makes the greatest possible contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information provided within ES Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>In terms of high environmental standards, as outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project has been developed in accordance with relevant legislation, policy and guidance. In addition, in assessing the impacts of the Project, due regard to topic-specific legislation, policy, guidance has been considered in each ES chapter.</p>
	<p>EN – 1 4.2.4 - 4.2.6</p>	<p>The Government has therefore concluded that there is a CNP for the provision of nationally significant low carbon infrastructure.</p> <p>This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means:</p> <ul style="list-style-type: none"> <li>▪ for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready;</li> <li>▪ for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System;</li> <li>▪ for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution;</li> <li>▪ for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore; and</li> <li>▪ Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects.</li> </ul> <p>The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in</p>	<p>Offshore wind has been defined by Government as being a CNP and therefore the Project constitutes CNP infrastructure as outlined within the response to paragraph 3.3.62 and the Planning Statement (APP-297). The Government has highlighted that there is an urgent need for CNP Infrastructure to achieving energy objectives, together with the national security, economic, commercial, and net zero benefits.</p> <p>The Project would contribute towards decarbonising the power system by 2035 supporting 2050 net zero ambitions and providing the CNP required urgently to meet these aspirations.</p>

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		paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.	
	EN – 1  4.2.7	The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the Project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the ExA when it is making its recommendation to the SoS.	<p>The Project has followed the statutory regulations in assessing the impacts of the Project within the ES as outlined within ES Chapter 1: Introduction (APP-056) and ES Chapter 2: Need, Policy and Legislative Context (APP-057).</p> <p>The ES (APP-055) provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics.</p> <p>Whilst the Project may lead to temporary significant adverse effects during multiple phases of the development this is balanced against the significant benefit of the Project in the delivery of renewable energy. Additionally any long term effects of the Project will be mitigated as far as reasonable practicable. For example, Chapter 28 Landscape and Visual Assessment(APP-083) sets out that landscape and onshore visual effects can be mitigated through planting .</p>
	EN-1 4.2.8	During decision making, the CNP policy will influence how non-HRA and non-Marine Conservation Zone (MCZ) residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2.	<p>Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the application.</p> <p>As demonstrated throughout the ES (APP-055), and Planning Statement (APP-297), the Applicant has shown how any non-HRA and MCZ likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES and Planning Statement, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project . It has been demonstrated that the Project is in accordance with the NPS.</p>
	EN-1 4.2.9	During decision making, the CNP policy also explains the Secretary of State’s approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and imperative reasons of overriding public interest (IROPI) tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.	<p>The Project is classified as CNP infrastructure. The Applicant considers that any anticipated impacts as a result of the Project and as reported in the Environmental Statement (APP-055) are clearly outweighed by the benefits. This is shown in Section 6.4 of the Planning Statement (APP-297) which provides an overview of how the Project has been developed in accordance with CNP policy including guidance relating to HRA derogations and MCZ assessments.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p>

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			<p>The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ assessment (APP-157) supports the DCO and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>As demonstrated within the ES (APP-032), the RIAA (APP-235), the MCZ assessment (APP-157), and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects relating to HRA or MCZ would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken into consideration. It has been demonstrated that the Project is in accordance with the NPS and does not introduce an impediment to the policies considered within any other NPS.</p>
Applicants Assessment	EN – 1 4.2.10	Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.	<p>The Project has considered this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, as illustrated in the Planning Statement (APP-297).</p> <p>The ES (APP-055) and Report to Inform Appropriate Assessment (RIAA) (APP-235) provide a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics. The ES and RIAA also show how any likely significant negative effects would be avoided, reduced, mitigated or compensated in accordance with the mitigation hierarchy.</p>
	4.2.12	Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.	<p>The ES sections and tables in the ‘Summary of Effects’ sections within the receptor chapters in the ES (APP-055) are structured to distinguish between the construction, operation, decommissioning and reinstatement (where relevant) phases of the Project, with proposals for compensation and monitoring proposed where appropriate.</p> <p>The ES Chapters also include consideration of the potential for cumulative effects to occur as a result of multiple developments. The approach to the Cumulative Effects Assessment (CEA) has taken account of the advice provided in The Planning Inspectorate’s Advice Note Seventeen (Cumulative Effects</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Assessment Relevant to Nationally Significant Infrastructure Projects) (The Planning Inspectorate, 2019) and has considered other projects, plans and activities on a tiered basis (relating to certainty of implementation and accuracy of the available information)
	4.2.13	Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.	<p>Please see the Applicant’s response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features. The documents submitted as part of the Applicant’s derogation case are set out below (APP-243 – APP-264):</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ TCE Kittiwake Strategic Compensation Plan (APP-260);</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>
Secretary of State decision making	EN-1 4.2.14	The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant’s assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.	<p>As described above, the Applicant’s assessment, both EIA as set out in the ES (APP-055) and HRA as set out in the RIAA (APP-235) demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant tests under the NPSs and other legislation and policy have been met.</p> <p>The Project’s application of the mitigation hierarchy and compensation where required has minimised negative impacts.</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance.</p> <p>The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>• Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</li> <li>• Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>• Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>• Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>As outlined throughout the ES, alongside its pertinent environmental benefits through the delivery of clean and affordable energy, the Project will also deliver significant social and economic benefits. As described in both the Planning Statement (APP-297) and Chapter 29: Socio-Economic Characteristics (APP-084), the development of offshore wind projects, like this Project, will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base.</p>
Non-HRA—and non-MCZ residual impacts of CNP Infrastructure	EN-1 4.2.15— 4.2.16	<p>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.</p> <p>As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.</p>	<p>An ES (APP-055) supports the DCO application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of the Planning Statement (APP-297) , the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
	EN-1 4.2.17	<p>This means that the SoS will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</p> <ul style="list-style-type: none"> <li>where development within a Green Belt requires very special circumstances to justify development;</li> <li>where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs;</li> <li>where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and</li> </ul> <p>where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.</p>	<p>No elements of the Project are situated within areas having the highest status of protection (National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs)). No part of the Project falls within Green Belt land. In addition, there are no landscape designations within the LVIA Study Area. There will, therefore, be no significant effects on landscape designations as they lie beyond the distance within which there is potential for significant effects to arise. Full details are set out in Chapter 28 Landscape and Visual Impact Assessment (APP-083).</p> <p>There will be no direct impact to any subtidal or Intertidal SSSI features as identified in Chapter 9: Benthic and Intertidal Ecology (APP-064).</p> <p>As set out in ES Chapter 21: Onshore Ecology (APP-076), there will be no direct impact to onshore SSSIs as the onshore Order Limits have been designed to avoid designated sites. Indirect impacts are considered within ES Chapter 21: Onshore Ecology (APP-076), Chapter 24 Hydrology and Flood Risk Assessment (APP-079) and Chapter 19 Air Quality (APP-074) which conclude indirect impacts as a result of effects arising from water quality, dust emissions, road traffic emissions and emissions from temporary construction non-road mobile machinery (NRMM), are considered not significant in EIA terms.</p> <p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Chapter 13 Marine and Intertidal Archaeology , Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Chapter 13: Marine and Intertidal Archaeology (APP-068). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068). Substantial harm has not been concluded.</p>

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			<p>The assessment presented in Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Chapter 20 confirms that no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term. No designated archaeological remains would be physically affected by the Project and mitigation is proposed whereby there would be no residual significant impacts to non-designated archaeological remains. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.</p>
<p>HRA derogations and MCZ assessments for CNP Infrastructure</p>	<p>EN-1 4.2.18— 4.2.20</p>	<p>Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively.</p> <p>Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</p> <p>Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.</p>	<p>A MCZ Assessment has been provided as an appendix to Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). The MCZ assessment has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>With regards to the HRA and MCZ there are no LSE with the exception of (in-combination) effects at the Flamborough and Filey Coast (FFC) Special Protection Area (SPA).</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Consultation has taken place through the Scoping process, EPP, and through statutory consultation meetings. In particular, the Applicant has engaged with Natural England (NE) for any compensation measures.</p> <p>The Applicant has concluded that the Project on its own will not have an Adverse Effect on Integrity (AEol) on any of the designated sites and features identified through screening. There is a potential risk of AEol in relation to the kittiwake feature of the Flamborough and Filey Coast SPA when the Project is considered in-combination with other plans, projects and activities. As such, the Applicant has submitted a Derogation Case (APP-242). The Applicant maintains that there will be no AEol on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only. Further information on the assessment of adverse effect on integrity (AEol) can be found in the RIAA.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The Derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEol cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p>
	<p>EN-1 4.2.21</p>	<p>For both derogations, the SoS will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:</p>	<p>As set out above in the Applicant’s response to paragraph 4.2.9, the derogation case is presented as part of the HRA in Derogation Case (APP-242) which explains the need for the Project, that there are no alternatives to achieve the Project objectives and that there is an IROPI in the Project coming forward.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and</p> <p>are capable of amounting to IROPI for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.</p>	
	EN-1 4.2.22	<p>For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.</p>	<p>Please see the Applicant's response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of 'without prejudice' compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ Assessment is presented in Volume 3, Chapter 9 Benthic and Intertidal Ecology Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). No impacts have been identified.</p>
<b>EN-1 Part 4.3: Environmental Principles</b>			
Environmental Effects/ Considerations	EN-1 4.3.1 – 4.3.3	<p>All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the Project.</p> <p>The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.</p> <p>The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the Project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.</p>	<p>An ES (APP-055) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022).</p> <p>The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for the Project is in accordance with paragraph 4.3.1-4.3.3 of EN-1.</p> <p>Regarding the topics outlined in Paragraph 4.3.2 of EN-1, no significant residual effects have been identified as confirmed in the Sections and Chapters below which set out several migration measures:</p> <p><b>Human Health</b></p> <ul style="list-style-type: none"> <li>ES Chapter 30: Human Health (APP-085) - A number of mitigations across the different topics chapters apply to human health and major disasters including the Outline Construction Traffic Management Plan (APP-289), Outline Noise and Vibration Management Plan (APP-269) and Outline Code of Construction Practice (APP-268) to reduce the impacts of the works on human health.</li> </ul> <p><b>Biodiversity (onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 4: Onshore Ecology (APP-059) - The Project has made a number of commitments to reduce impacts on onshore ecological receptors. Most notably, the adoption of trenchless techniques at 216 separate sites along the onshore ECC and 400kV cable corridor to avoid impacts to major river and watercourses, priority habitats and designated sites. The Project has also been designed to avoid all ponds and woodland and reduce the need for severance of linear habitat features as much as possible. An Outline Landscape and Ecological Management Strategy (OLEMS) has been produced which presents the mitigation measures that will be undertaken to</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>manage the potential impacts to onshore ecological receptors. With measures in place the project will result in no significant effect for any of the impacts.</p> <ul style="list-style-type: none"> <li>ES Chapter 22: Onshore Ornithology (APP-077) - Potential harm to birds, is mitigated through a Construction Method Statement (CMS) and pre-works surveys, ensuring protection for nesting birds and preventing significant harm. Disturbance to protected bird species, is mitigated through seasonal restrictions and localised working commitments to minimise disruption to specific bird populations. Water and air quality are both managed through detailed assessments and embedded mitigation measures in the Pollution Prevention Emergency Incident Response Plan (PPEIRP) and Air Quality Management Plan (AQMP).</li> </ul> <p><b>Biodiversity (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 9: Benthic Subtidal and Intertidal Ecology (APP-064) - Mitigation strategies, including micro siting of infrastructure where possible to avoid areas of Annex 1 reef, have been adopted. Within the SAC, the Project has also committed to removable cable protection, should cable burial not be possible. An initial Cable Burial Risk Assessment has been undertaken. A further Cable Burial Risk Assessment will also inform cable burial as part of a Cable Specification and Installation Plan which will be developed for approval by the MMO prior to construction. To minimise the risk of pollution, a Project Environmental Management Plan will be produced; this will also be used to reduce the risk of invasive species. The Project design has also been refined to include trenchless cable installation (HDD) to remove impacts at the coast.</li> <li>ES Chapter 10: Fish and Shellfish Ecology (APP-065) - Mitigation measures include the development of a Cable Specification and Installation Plan (CSIP) to minimise habitat loss. Additionally, the implementation of a piling Marine Mammal Mitigation Protocol (MMMP) which details measure that will be implemented by the Project to limit the underwater noise levels to reduce the risk of auditory injury to negligible levels. Whilst the implementation of a MMMP is not aimed at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. To minimise the risk of pollution, a Project Environmental Management Plan will be produced which will also be used to reduce the risk of invasive species.</li> <li>ES Chapter 11: Marine Mammals (APP-066) – Mitigation measures have been committed to by the Project, such as the use of maximum hammer energies (6,600kJ for monopiles, 3,500kJ for pin-pile), soft start and ramp up procedures for piling, and a maximum of two piling events occurring simultaneously. Additionally, a Marine Mammal Mitigation Protocol (MMMP) for both piling and Unexploded Ordnance (UXO) clearance will be developed and implemented, the reduce the risk of auditory injury to negligible levels. A vessel management plan will also be developed, to reduce any collisions and minimise disturbance.</li> <li>ES Chapter 12: Offshore and Intertidal Ornithology (APP-067) - Mitigation measures and changes to the Project design have been adopted by the Project to minimise impacts on IOFs, such as adapting the array footprint to avoid important seabird habitat and raising the minimum tip height of the blades to 40m relative to mean sea level (MSL). A number of other mitigation measures have been proposed by way of compensation strategies for kittiwake, guillemot and razorbill species.</li> </ul> <p><b>Land Use and soil</b></p> <ul style="list-style-type: none"> <li>ES Chapter 25 Land Use (APP-080) - Mitigation includes the Code of Construction Practice (APP-268), the Outline Soil Management Plan (SMP) (APP-271) to manage soil effectively during stripping, handling and reinstating and the Outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP) (APP-272) which includes measures to prevent pollution incidents</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Water (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 24 Hydrology, Hydrogeology and Flood Risk (APP-079) - The Project has made a number of commitments to minimise and reduce the risk to hydrology, hydrogeology and flood risk including obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, preparation of a Flood Management Response Plan and adherence to the PPEIRP. By incorporating these commitments no significant effects have been identified in relation to hydrology, hydrogeology and flood risk.</li> </ul> <p><b>Water (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 8: Marine Water and Sediment Quality (APP-063) - The Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application), which will be submitted to the MMO for approval prior to works being carried out.</li> </ul> <p><b>Air Quality</b></p> <ul style="list-style-type: none"> <li>ES Chapter 19: Air Quality (APP-074) - there are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</li> </ul> <p><b>Climate Change</b></p> <ul style="list-style-type: none"> <li>ES Chapter 31 Climate Change (APP-086) - The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</li> </ul> <p><b>Landscape (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 21 Landscape and Visual Assessment (APP-076) - The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</li> </ul> <p><b>Landscape (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 17: Seascape Landscape and Visual Impact Assessment (APP-072) - For Seascape and Landscape impacts have been mitigated as far as practical through the Project design which has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline.. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Material assets and cultural heritage (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) - Mitigation includes the project design to prevent or reduce potential impacts on Archaeology and Cultural Heritage receptors include implementation of an agreed programme of archaeological investigation work during construction to ensure that any heritage assets are identified and recorded. An outline version of the Onshore Written Scheme of Investigation has been provided with the application (APP-283).</li> </ul> <p><b>Material assets and cultural heritage (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 13: Marine and Intertidal Archaeology (APP-068) - The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and micro sited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</li> </ul> <p>As such, the Project is considered to accord with the provisions set out within the NPS.</p>
	EN-1  4.3.4	To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.	<p>An ES has been submitted for the Project which undertakes a thorough assessment including environmental, social and economic receptors.</p> <p>The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. The topics referred to in Paragraph 4.3.4 of EN-1, are assessed in the following ES Chapters:</p> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul> <p><b>Equality</b></p> <ul style="list-style-type: none"> <li>Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Biodiversity Net Gain</b></p> <p>A Biodiversity Net Gain Project Principles and Approach Statement (APP-302) has been prepared and submitted alongside the ES. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Applicant is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284) . A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design and in order to comply with the BNG statutory requirements for NSIPs (anticipated in November in 2025). Biodiversity gain calculations, using the Statutory Biodiversity Gain Metric, would be incorporated into a Biodiversity Gain Final Design Report.</p> <p><b>Community Cohesion</b></p> <ul style="list-style-type: none"> <li>ES Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Health and well-being</b></p> <ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> <li>▪ ES Chapter 27 Traffic and Transport (APP-082)</li> <li>▪ ES Chapter 19 Onshore Air Quality (APP-074)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>Where necessary, the ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy and in order to demonstrate how this will be achieved a number of outline management plans are submitted with the application.</p>
	EN-1 4.3.5 – 4.3.7	<p>For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project.</p> <p>Where the NPSs use the term ‘environment’ they are referring to both the natural and historic environments.</p> <p>In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.</p>	<p>The ES topic specific chapters (APP-071 to APP-086) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the Project during the pre-construction, construction, operation and decommissioning phases. These have been prepared in accordance with the Scoping Opinion and Scoping Report included as appendices to the Consultation Report (APP-032) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation , Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Both the natural and historic environments have been considered. The predicted effects at each of the Project stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. As such it is considered that the ES for the Project is in accordance with paragraph 4.3.5 – 4.3.7 of EN-1</p>
	EN-1 4.3.8 – 4.3.9	<p>In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms ‘effects’, ‘impacts’ or ‘benefits’ should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits.</p> <p>As in any planning case, the relevance or otherwise to the decisionmaking process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and HRA sites.</p>	<p>The Application, in particular the ES (APP-055) has used the requirements and terminology set out within paragraphs 4.3.8-4.3.9 of EN-1.</p> <p>The Application has also adhered to legislative requirements, with further information detailed within Chapter 2 Need, Policy and Legislative Context (APP-057).</p> <p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
Applicant assessment	EN-1 4.3.10 – 4.3.11	<p>The Applicant must provide information proportionate to the scale of the Project, ensuring the information is sufficient to meet the requirements of the EIA Regulations.</p> <p>In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, The Applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.</p>	<p>The level of detail provided is proportionate to the scale of the Project. Section 1.5 of ES Chapter 5: EIA Methodology (APP-060) provides a description of the proportionate approach to environmental assessment that has been used in the production of the ES. Information has been prepared in accordance with the Scoping Opinion and Report (APP-034 and APP-035) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Where full details cannot be provided, the Applicant has explained in the Application which elements of the proposal have yet to be finalised, and the reasons why this is the case.</p> <p>The design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters.</p>
	EN-1	Where some details are still to be finalised, the ES should, to the best of the applicant’s knowledge, assess the likely worst-case environmental, social and economic effects of	To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered, and the ‘Maximum Design Scenario’ (MDS) (known as the ‘Rochdale Envelope’

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	4.3.12 – 4.3.13	<p>the proposed development to ensure that the impacts of the Project as it may be constructed have been properly assessed.</p> <p>To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the Project on the likely significant environmental, social, and economic effects.</p>	<p>approach) has been presented and assessed for each parameter. This approach allows for the assessment of the worst-case impacts specific to each chapter topic. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. Therefore, each chapter will assess the ‘realistic worst-case’ scenario (WCS) for each of the identified potential impacts, Further information is provided in Section 1.4 of ES Chapter 5: EIA Methodology (APP-060)</p> <p>Within the ES, a range of parameters for each aspect of the Project are defined and the MDS for each receptor and/or impact is identified and considered for assessment. Consultation has also been a key part of the Project, which includes the publication of the Project scoping report and four pre-application phases. The consultation process has followed statutory guidance and has facilitated the identification of matters that have directly led to design changes and commitments. Further information can be found within the Consultation Report (APP-032) and summarised in Chapter 3: Project Description (APP-058).</p> <p>This approach is particularly advantageous for large-scale developments involving complex engineering and multi-year development programmes (including offshore wind) where it is not possible to identify the exact components to be used within the final development, as it provides for flexibility in design and construction and allows for developments in technology to be implemented, provided they are within maximum extents and ranges assessed within the EIA. This is of particular relevance to offshore wind development, where the technology is constantly improving, with larger and more efficient turbines being developed.</p> <p>The use of existing data and site-specific survey has enabled an adequate characterisation of the receiving environment to enable a robust assessment to be undertaken against a realistic worst-case ‘Rochdale Envelope’ approach to project design. Post-consent, further survey work including Site Investigation (SI) will be required to inform the final detailed design preconstruction.</p>
	EN-1  4.3.15 – 4.3.17	<p>Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant’s choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility.</p> <p>In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</p> <p>Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.</p>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Chapter 4 provides a description of the site selection process and the approach undertaken by the Applicant to refine the design of the Project. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p> <p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the ‘Habitats Regulations’); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the ‘Offshore Habitats Regulations’).</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul>
Secretary of State decision making	EN-1 4.3.18 – 4.3.19	The SoS should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	<p>To allow the SoS to consider the worst-case impacts, the design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the ‘realistic worst-case’ scenario for each of the identified potential impacts, referred to as the MDS which considers the likely worst cast environmental, social and economic effects.</p> <p>In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and decommissioning phases of the onshore and offshore aspects of the Project have been considered across the specific ES chapters.</p> <p>The EIA Regulations require a consideration of cumulative effects, which is to say that the overall impact of the Project must be considered together with the impact of other proposed developments in the area. Cumulative effects are assessed and reported within each topic chapter of the ES.</p> <p>Across the ES, inter-related effects for the Project have been considered for both onshore and offshore matters. No significant inter-related effects arising as a result of the Project have been identified.</p>
	EN-1 4.3.20	The Government has set 13 legally binding targets for England under the Environment Act 2021, covering the areas of: biodiversity; air quality; water; resource efficiency and waste reduction; tree and woodland cover; and Marine Protected Areas (MPAs). Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery. The Secretary of State have regard to the ambitions, goals and targets set out in the Government’s Environmental Improvement Plan 2023 for improving the natural environment and heritage. This includes having regard to the achievement of statutory targets set under the Environment Act.	<p>Across the ES (APP-055) relevant legislation and guidance including the Environment Act 2021 have been considered in the assessment of different topic areas like biodiversity and air quality. In addition, such legislation has also been considered in the design of the Project, to ensure the proposed infrastructure is compliant (see additional information within Chapter 2: Need, Policy and Legislative Context (APP-057))</p> <p>The Applicant is also committed to maintaining and enhancing biodiversity as a result of the Project. This is realised within the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, as well as areas outside of the Order Limits. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance.</p> <p>In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-294). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 4.3.22	Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives were taken forward for consultation as appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; only alternatives that can meet the objectives of the proposed development need to be considered.</li> </ul>	<p>This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p>
	EN-1  4.3.23 – 4.3.24	<p>The SoS should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.</p> <p>The SoS should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.</p>	<p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p> <ul style="list-style-type: none"> <li>Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul> <p>Alternatives were identified as early as possible and the site selection process and alternatives considered have been through detailed analysis of environmental, social, and engineering constraints, with key feasible alternatives taken forward for consultation either through the Scoping process, the Evidence Plan, or specific evidence plan meetings.</p>
	EN-1  4.3.25 – 4.3.28	<p>Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the SoS thinks they are both important and relevant to the decision.</p> <p>As the SoS must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the SoS concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the SoS’s decision.</p> <p>Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p> <p>Alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
	EN-1  4.3.29	<p>It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the SoS (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect The Applicant to have assessed it.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
<b>EN-1 Part 4.4. Health</b>			
Health	EN-1  4.4.1-4.4.3	<p>Energy infrastructure has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people’s health.</p> <p>The direct impacts on health may include</p> <ul style="list-style-type: none"> <li>increased traffic</li> <li>air or water pollution</li> <li>dust, odour</li> <li>hazardous waste and substances</li> </ul>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES.</p> <p>Specifically, impacts to human health are assessed within Chapter 30 Human Health (APP-085). Chapter 30 concludes that the main drivers of potential human health effect are the construction process and the associated construction traffic. These activities may lead to increased noise levels, dust and emissions. However, a combination of embedded mitigation (described in this chapter) and additional mitigation (detailed in the relevant technical chapters) can be used to control these impacts to an acceptable level (not significant in EIA terms).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ Noise</li> <li>▪ exposure to radiation, and</li> <li>▪ increases in pests</li> </ul> <p>New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity.</p>	<p>Mitigation measures are included within the OCoCP (APP-268) to be secured as a requirement of the DCO.</p> <p>In light of the above it is considered that the ES for the Project is in accordance with 4.4.1 -4.4.3 of NPS EN-1</p>
Applicant assessment	EN-1 4.4.4 – 4.4.6	<p>As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the Project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society, and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to wider society as a whole.</p>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to human health are assessed within ES Chapter 30 Human Health (APP-085). As noted in the response to EN-1 4.4.1 -4.4.3 above, this assessment finds that for the general population there would be no significant (in EIA terms) effect on human health as a result of the Project.</p> <p>The Project has made a number of commitments during the construction and operational phases of the project to reduce and minimise the impacts to human health which are secured through the Outline Code of Construction Practice (APP-268), Outline Noise and Vibration Management Plan (APP-269), Outline Air Quality Management Plan (APP-270), and the outline onshore archaeological WSI (APP-283).</p> <p>Through consideration of potential impacts to human health, including cumulative assessment, and the provision of mitigation, it is considered that the ES for the Project is in accordance with 4.4.4 -4.4.8 of NPS EN-1</p>
Secretary of state decision making	EN-1 4.4.7 - 4.4.8	<p>Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008.</p> <p>However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.</p>	
<b>EN-1 Part 4.5: Marine Considerations</b>			
Marine Considerations	EN-1 4.5.1	<p>The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide.</p>	<p>The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development.</p> <p>The marine plans and MPS have been considered in developing the application for consents for the Project.</p> <p>In particular the Government's Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.5.2 – 4.5.3	<p>Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations.</p> <p>The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.</p>	<p>In particular the Government’s Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>
	EN-1 4.5.5 – 4.5.6	<p>The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on MPAs, including applying the mitigation hierarchy and using strategic approaches. The guidance will not extend to waters where the devolved administrations have competence for managing MPAs.</p> <p>A dML can be granted as part of the DCO and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and OSSs. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea.</p>	<p>Further guidance is expected from Defra on approaches to more strategic options associated with the mitigation hierarchy, in particular with regards to derogation and compensatory measures. This work is also supported by groups such the Collaboration on Offshore Wind Strategic Compensation (COWSC) which is working to develop measures which can be applied if compensation is required, particularly if a more strategic approach is required.</p> <p>A draft DCO is submitted as part of the Application which identifies requirements that may be applied to the Project, and also incorporates deemed marine licences that would otherwise be required under the Marine and Coastal Access Act 2009, and which identify conditions that may be applied to the Project.</p> <p>The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p>
	EN-1 4.5.7	<p>Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their DCO application.</p>	
Applicant assessment	EN-1 4.5.8	<p>Applicants for a DCO must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent.</p>	<p>The marine plans and MPS have been considered in developing the application for consents for the Project. The Government’s Marine Plans have been considered within the establishment of the baseline environment, set out in Chapter 18 Marine Infrastructure and Other Users (APP-073 ). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p>
	EN-1 4.5.9	<p>Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.</p>	
Secretary of State decision making	EN-1 4.5.10 – 4.5.12	<p>Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a DCO where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas.</p> <p>In making a decision, the SoS is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.</p>	<p>A summary of the potential environmental effects is identified and approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning are set out in each of the offshore ES Chapters.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO as has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 4.6: Environmental and Biodiversity Net Gain (BNG)			
Environmental and Biodiversity Net Gain	EN-1 4.6.1 – 4.6.2	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. BNG is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver BNG.	A Biodiversity Net Gain Report Principles and Approach (APP-302) has been prepared which outlines the commitment of the Project to providing BNG and identifies the onsite and offsite opportunities being proposed/investigated. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. An initial BNG appraisal is included within the Biodiversity Net Gain Report Principles and Approach (APP-302). In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (APP-284). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.  Opportunities for environmental enhancement are also discussed in the Design Principles Statement (APP-293).
	EN-1 4.6.3	Currently BNG policy in England only applies to terrestrial and Intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by Government who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future.	Projects, or components of projects, in the marine environment are not currently included within the scope of the mandatory requirements for biodiversity net gain and are not considered in relevant ES reports.
Applicant Assessment	EN-1 4.6.6-4.6.8	Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. In England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity Baseline and present planned BNG outcomes. This calculation data should be presented in full as part of their application. Where possible, this data should be shared alongside a completed biodiversity metric calculation, with the Local Authority and NE for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). This document is being updated with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric) and will be submitted to the ExA.
	EN-1 4.6.10 – 4.6.12	BNG should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. BNG can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of BNG to be set out within the application for development consent. When delivering BNG off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies, or strategies to use.	The mitigation hierarchy has been applied in the EIA in the first instance to address the potential effects of the Project. An outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) has also been submitted as part of the application which sets out in-principle measures designed to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources arising from the onshore elements of the Project. The purpose of the OLEMS is to: <ul style="list-style-type: none"> <li>▪ Set out the key measures to avoid, reduce, mitigate, or compensate for potential impacts on landscape and biodiversity resources, that may be required prior to, during and post construction (where applicable);</li> <li>▪ Provide an outline of the management required to ensure that both created and enhanced habitats achieve target condition, and that populations of species are maintained at favourable conservation status; and</li> <li>▪ Ensure compliance with the relevant legislation relating to ecology.</li> </ul> An Biodiversity Net Gain Report Principles and Approach (APP-302) was submitted as part of the DCO Application. This document presents the initial findings of the provisional Biodiversity Net Gain (BNG) assessment and presents the Project's principles and approach to BNG in respect of proposed onshore

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>aspects of the Project, outlining the Applicant’s ambition to deliver BNG and demonstrating their work to date in relation to both onsite and offsite opportunities, alongside an inclusion of a baseline assessment calculation. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284).</p> <p>This document is being updated to account for further progress made by the Applicant and with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric). This update, alongside any future iterations of the report or metric in response to new or developed opportunities that arise during the examination phase will be submitted to the ExA. Where relevant, an updated OLEMS will also be submitted to secure BNG commitments made.</p> <p>Detailed design is likely to see the maximum design scenario reduced as efficiencies in delivery cost, schedule and electrical transmission are accounted for in detail. The detailed design scenario will therefore be used to determine a more accurate estimation of the Project’s BNG.</p>
	EN-1 4.6.13	<p>In addition to delivering BNG, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as reductions in GHG emissions, reduced flood risk, improvements to air or water quality, climate adaptation, landscape enhancement, increased access to natural greenspace, or the enhancement, expansion or provision of trees and woodlands. The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.</p>	<p>In addition to possible BNG benefits, the Project will deliver a number of other environmental enhancements, including contributing towards meeting GHG targets at the local-national scales. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>Landscape enhancement is captured in the captured in an outline Landscape and Ecological Management Strategy (OLEMS) (APP-284), as is mitigation, which sets out several principles for the loss priority habitats and impacts on protected species, whilst also delivering positive biodiversity impacts. Further information on Local Area benefits is provided in Section 2.3 of the Design Approach Document (APP-292).</p>
	EN-1 4.6.14	<p>The Environment Act 2021 mandated the preparation of LNRs across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government’s 25 Year Environment Plan.</p>	<p>With regards to LNRs, these are not yet currently available. Currently, the Greater Lincolnshire LNR is in its early stages of project planning and organisation. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRs should be in place across the whole of England.</p>
	EN-1 4.6.15	<p>Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the Project.</p>	<p>An ES (APP-055 -APP-234) accompanies the application which, alongside the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) and Biodiversity Net Gain Report Principles and Approach (APP-302), sets out potential opportunities for net gain that are being explored by the Applicant.</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Further commentary of the Project's approach to biodiversity can be found within the Biodiversity Net Gain Report Principles and Approach (APP-302),</p> <p>Additional information on how the Project has adopted good design principles can also be found within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), which outlines that the Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts.</p> <p>Consideration of good design principles is also provided in the Design Approach Document (APP-292) and Design Principles Statement (APP-293)</p>
	EN-1 4.6.16	Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', the governments guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.	<p>The policy, legislation and guidance that has informed the assessment relating to natural capital assets and ecosystems services is outlined within ES Chapter 21 Onshore Ecology (APP-076) and includes:</p> <ul style="list-style-type: none"> <li>▪ Conservation of Habitats and Species Regulations 2017</li> <li>▪ Wildlife and Countryside Act 1981</li> <li>▪ Environment Act 2021</li> <li>▪ Natural Environment &amp; Rural Communities Act 2006</li> <li>▪ Biodiversity Metric 4.0 calculator and User Guide (Natural England, 2021)</li> <li>▪ 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2'. (CIEEM, 2022).</li> </ul>
	EN-1 4.6.17	Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	<p>The Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design.</p> <p>The ES also sets out the alternatives considered and explains the main reasons for the choice between alternative.</p> <p>ES Chapter 5 Environmental Impact Assessment Methodology (APP-060) describes the site-specific details of the stages of the design iteration from inception through to the current point of ES DCO submission where environmental considerations were a key factor in decision making.</p> <p>Where appropriate, as concluded within the Planning Statement (APP-297) compensation has been set out to ensure there is no significant residual environmental effects.</p>
	EN-1 4.6.18	Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.	The opportunities outlined in Part 5 of this NPS have been considered in the development of the Project. Throughout the ES (APP-055) opportunities for environmental, social, and economic enhancements, protection and mitigation measure have been set out. Mitigation is outlined in the Schedule of Mitigation (APP-287).
Secretary of State Decision Making	EN-1 4.6.1	Although achieving BNG is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for DCO unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.	The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before.
	EN-1	The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within	The Applicant is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.

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	4.6.2 – 4.6.3	<p>an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.</p> <p>The SoS should give appropriate weight to environmental and BNG, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p>	
EN-1 Part 4.7: Criteria for “good design” for energy infrastructure			
Criteria for good design for Energy Infrastructure	EN-1 4.7.1	<p>The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted such that the aesthetic appearance of the infrastructure elements does not detract from landscape quality.</p> <p>Opportunities for making final design decisions early are limited by the need to retain flexibility across several parameters including WTG numbers, size, and location through the planning stages and the need to assess worst-case environmental effects has been conducted as a result throughout the ES.</p> <p>However, where practically possible, the Applicant has proposed mitigation measures to enhance landscape quality as outlined within Chapter 28: Landscape and Visual Assessment (APP-083). This includes positive ecological enhancement proposals within the OLEMS (APP-284) which provides for the incorporation of screening proposals that form part of a proposed approach to enhancement of biodiversity.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>
	EN-1 4.7.2 - 4.7.4	<p>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</p> <p>Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.</p>	<p>“Good design” has been at the forefront of decision making throughout the evolution of the Project; strongly influencing site selection and the design commitments and principles which the Applicant has been able to reach at this stage. The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Project was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects.</p> <p>The siting of the Project’s landfall, onshore ECC and OnSS have incorporated design considerations from the outset. The Project took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and</p>

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		<p>Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.</p>	<p>onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into the following driving principles:</p> <ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve the Project’s purpose.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Project taken on board the feedback from stakeholders and the local communities to deliver the Project in best possible way.</li> <li>▪ Sense of Place – how the Project can create a distinctive place that delivers beneficial spatial outcomes for the local community.</li> </ul> <p>The Project has been the subject of an iterative design and site selection process, across these stages principles of good design have been applied. The Applicant has adopted several modern construction and sustainable design practices, which are described within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This includes committing to burying all onshore cables as opposed to using overhead lines to minimise landscape effects and committed to using trenchless technologies where possible, to avoid compromising existing sea defences, help protect sensitive receptors and minimise the extent of direct interaction with coastal features. As an example, the commitment to undertake approximately 216 trenchless crossings has also meant the Applicant has managed to avoid the removal of up to 17,280m of hedgerows along the Onshore ECC and 400kV cable corridor</p> <p>Principles of good design as a way to mitigate adverse impacts of have been considered at the early stages of the Project.</p> <p>Further commentary can also be found within Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052)</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>
Applicant Assessment	EN-1 4.7.5	<p>To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.</p>	<p>Section 5.3 of the DAD confirms that the Applicant has appointed a Design Champion in accordance with the NPS. The Design Champion will be accountable for delivering coherent good design and holds the project team to account in terms of a macro vision of design. The Design Champion will guide and champion an iterative design process to test the best way of achieving the design principles as set out in the DAD where further detail on the Design Champion Role is also provided. Section 5.4 of the DAD confirms the Project has committed to a Local Design Panel as well as an External Design Review of the OnSS, alongside further information on external design review approach.</p> <p>Design decisions in terms of the Project’s infrastructure and location are set out within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This chapter shows how design principles have been established from the outset of the Project to guide the development from conception to operation.</p> <p>Further design considerations of relevance to the onshore and offshore design are set out in Chapter 3 Project Description (APP-058).</p> <p>Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the OnSS is outlined within the OLEMS (APP-284).</p>

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			<p>The Project’s approach to good design- (taking fully into account the policy requirements) is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293).</p> <p>As such, in so far as practicable, it is considered that the Project is in accordance with paragraph 4.7.5.</p>
	<p>EN-1 4.7.6 – 4.7.9</p>	<p>Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform, and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.</p> <p>Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.</p> <p>Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.</p> <p>Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.</p>	<p>The Applicant has considered their approach to the design of each of the offshore and onshore elements in a holistic way. This is detailed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The chapter considers each offshore and onshore design element, its relationship to the other elements of the design as well as the consultation responses received to inform their optioneering works and ultimately refine the Project design to the Order limits.</p> <p>The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. . Embedded environmental measures that address Seascape, Landscape and Visual effects are presented in Chapter 17 Seascape, Landscape and Visual (APP-062) and measures that address onshore landscape and visual effects are presented in Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>For the onshore infrastructure, a key design choice made at the start of the Project was to install cables underground, rather than using overhead lines, to convey electricity from Landfall to the OnSS. Further consideration has been had when proposing laying of cables, identifying potential reinstatement measures and enhancements for the surrounding area.</p> <p>The OnSS does lead to some visual effects, however these are not considered significant past 15 years (as assessed in ES Chapter 28: Landscape and Visual Assessment (APP-083)). Impacts have been minimised as far as practical during the site selection process. The OnSS will be located in an area where significant effects are not avoidable, and as such proposals for additional screening and planting are set out in Design Principles Statement (APP-293), which would provide mitigation and enhancements to the local area and reduce the significance of effect in the long term and incrementally during the initial period of planting establishment.</p> <p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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Secretary of State decision making	EN-1 4.7.10 – 4.7.11	<p>In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.</p> <p>In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.</p>	<p>As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The proposal as presented is both sustainable and functional. For example, Table 3.1 of the Design Principles Statement (APP-293), sets out the design principles that are to be adopted, categorised in line with the four design principles to guide the planning and delivery of major infrastructure as set out in ‘Design Principles for National Infrastructure’ (National Infrastructure Commission, February 2020), namely Climate, People, Place and Value. The table sets out how design principles such as safety, functionality, visual impact and environmental mitigation will be considered in the design of the OnSS.</p> <p>The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the Project objectives.</p> <p>Further design considerations relating to functionality, sustainability and aesthetics are set out in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p> <p>Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284). The ES takes into account climate change and natural hazards.</p> <p>With regards to offshore design, the Project is being designed in so far as reasonably practicable to apply good design, siting WTGs in an area that seeks to reduce visual effects, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements, such as reducing WTG height or altering colour are not considered feasible due to the flexibility needed to account for due to uncertainty in unforeseen technological advances (as recognised in NPS EN-3) or due to other considerations, such as operational safety, which requires the WTGs to be appropriately marked and painted to comply with navigational safety requirements.</p>
	EN-1 4.7.12 – 4.7.15	<p>In considering applications, the SoS should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. The SoS should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period.</p> <p>The SoS should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects.</p>	<p>Safety of the public and operatives is an overriding principle that must be given the highest priority when making every design decision. The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the project objectives.</p> <p>The ES chapters scoped into the Project assess all operational phase impacts as occurring throughout the operational lifetime of the Project, rather than a shorter time period.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>

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		Further advice on what the SoS should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.	
EN-1 Part 4.10: Climate Change Adaptation and Resilience			
Climate Change Adaptation and Resilience	EN-1 4.10.1	Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	The ES has considered the potential effects of climate change and natural hazards of the Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, as it would be expected to occur without the implementation of the development, in so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through climatic changes over the lifetime of the Project.
	EN-1 4.10.2	Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter, winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	Chapter 3 Project Description (APP-058) describes how the Project has adopted a Maximum Design Scenario (MDS), which is illustrative of the Project's resilience to environmental changes anticipated during the lifetime of the Project.  The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Chapter 31: Climate Change (APP-086). Examples include: <ul style="list-style-type: none"> <li>Changes in air quality/composition;</li> <li>Changes in flood risk; and</li> <li>Changes in wind speed.</li> </ul> Once construction is complete, the O&M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime. In summary the Project demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by: <ul style="list-style-type: none"> <li>employing a high quality design;</li> <li>the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>the protection of the quality, quantity and availability of water resources;</li> <li>reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses; and</li> <li>incorporating measures which promote and enhance green infrastructure and explore opportunities for overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul>
	EN-1 4.10.3-4.10.4	To support planning decisions, the government produces a set of UK Climate Projections as well as hazard specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme .and. Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.  The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).	
	EN-1 4.10.5 – 4.10.7	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.  In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.	
	EN-1 4.10.8 – 4.10.9	New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g., site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g., access roads or other critical dependencies impacted by flooding, storms, heatwaves, or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.	As outlined in Chapter 31 Climate Change (APP-086), the Project will make a substantial contribution to the delivery of renewable energy and accelerate national efforts towards Net Zero GHG emissions.  The characterisation of the flood risk Baseline and future Baseline is established using the Environment Agency's Development Advice Map and data from recent hydraulic models, which take into account climate change effects.

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		<p>The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations.</p>	<p>The Flood Risk Assessment: Onshore ECC (APP-211) and the Flood Risk Assessment: OnSS (APP-212) also provide additional information on how the NPS requirements have been met, including accounting for climatic and seasonal changes.</p>
	<p>EN-1 4.10.10- 4.10.12</p>	<p>Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</p> <p>Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.</p> <p>Where energy infrastructure has safety critical elements, The Applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.</p>	<p>The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections. Examples include:</p> <ul style="list-style-type: none"> <li>▪ Changes in air quality/composition</li> <li>▪ Changes in flood risk</li> <li>▪ Changes in wind speed</li> </ul> <p>The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul> <p>The OnSS design includes a surface water drainage system to manage rainfall runoff from the proposed OnSS. The design of the drainage system incorporates an allowance for climate change to rainfall patterns over the lifespan of the development and will ensure that there is no change to the local hydrology or flood risk</p>
<p>Secretary of State decision making</p>	<p>EN-1 4.10.13 – 4.10.19</p>	<p>The SoS should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA's Climate Change Allowances for FRA or the Welsh Government's Climate change allowances and flood consequence assessments) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.</p> <p>Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.</p> <p>The SoS should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the</p>	<p>Chapter 31 Climate Change (APP-086) of the ES concludes that the Project will not give rise to consequential impacts in relation to climate change, following the implementation of embedded and additional mitigation measures.</p> <p>The Project has demonstrated through the ES (APP-055) using the latest UK Climate projections. that it is resilient to climate change and has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources.</li> <li>▪ The characterisation of the flood risk baseline and future baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments (SFRA) and data from hydraulic models, which take into account climate change effects. This</li> </ul>

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		<p>Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS.</p> <p>Any adaptation measures should be based on the latest set of UK Climate Projections, the Government’s latest UK Climate Change Risk Assessment, when available and in consultation with the EA’s Climate Change Allowances for Flood Risk Assessments or the Welsh Government’s Climate change allowances and flood consequence assessments. The SoS may take into account reporting authorities reports to the SoS when considering adaptation measures proposed by an applicant for new energy infrastructure.</p> <p>Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the Project and/or surrounding environment (for example coastal processes), the SoS may consider requiring the applicant to keep the need for the adaption measure under review, and ensure that the measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls)</p>	<p>information is contained in ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) and is also contained within the Onshore Substation (OnSS) Flood Risk (FRA) (APP-212) and the onshore Export Cable Corridor (ECC) FRA (APP-211). Flood risk has been considered for the life of the development</p> <ul style="list-style-type: none"> <li>▪ Flood risk has also been considered in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</li> <li>▪ The Project is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: <ul style="list-style-type: none"> <li>▪ demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</li> <li>▪ identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</li> <li>▪ propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</li> <li>▪ include appropriate flood warning and evacuation procedures where necessary which have been undertaken in consultation with the authority’s emergency planning staff;</li> <li>▪ incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</li> <li>▪ demonstrates that the Project will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</li> <li>▪ demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</li> <li>▪ ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.</li> </ul> </li> </ul>
<b>EN-1 Part 4.11 Network Connection</b>			
Network Connection	EN-1  4.11.1 – 4.11.4	<p>The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend a generation plant.</p> <p>In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated.</p>	<p>The Project includes infrastructure required to connect the new power station to the National Grid. A description of the onshore and offshore transmission system and the associated infrastructure is set out within Chapter 3 Project Description (APP-058): The transmission system comprises the following key components:</p> <ul style="list-style-type: none"> <li>▪ Offshore substations (OSSs)</li> </ul>

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		<p>To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission.</p> <p>Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in Section 4.2 of this NPS and EN-5</p>	<ul style="list-style-type: none"> <li>▪ Offshore reactive compensation platforms (ORCPs)</li> <li>▪ Array, interlink, and export cables</li> <li>▪ Project onshore substation (OnSS)</li> <li>▪ Necessary associated development required to transmit the power generated by the turbines to the connection with the National Grid transmission network (the grid connection location).</li> </ul>
	<p>EN-1  4.11.5 - 4.11.6</p>	<p>The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) or TSO to secure a grid connection.</p> <p>Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application.</p> <p>In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.</p>	<p>Connection to the National Grid, will include 400kV underground circuit(s) running from the OnSS to a new National Grid Electricity Transmission (NGET) substation which is to be consented separately by NGET.</p> <p>Further commentary on the transmission system is provided within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Outline Cable Specification and Installation Plan (APP-278)</li> <li>▪ Design Principles Statement (APP-293)</li> <li>▪ Cable Statement (APP-299)</li> <li>▪ Outline Scour and Cable Protection Management Plan (APP-295)</li> <li>▪ ES Chapter 3 Appendix 1 Cable Burial Risk Assessment CONFIDENTIAL (APP-142)</li> </ul>
	<p>EN-1  4.11.7 – 4.11.10</p>	<p>The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the SoS or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall.</p> <p>On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.</p> <p>If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.</p> <p>It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms as outlined in EN-5.</p>	<p>The Project will include both offshore and onshore infrastructure including:</p> <ul style="list-style-type: none"> <li>▪ Offshore generating station (windfarm);</li> <li>▪ Offshore export cables to landfall;</li> <li>▪ Offshore Reactive Compensation Platforms (ORCP);</li> <li>▪ Onshore export cables from landfall to the OnSS;</li> <li>▪ OnSS and 400kV cables to the National Grid substation1 (NGSS); and,</li> <li>▪ Ancillary and/or Associated Development including areas for the delivery of up to two Artificial Nesting Structures (ANS) and the creation and recreation of a biogenic reef (if these compensation measures are deemed to be required by the Secretary of State) (see ES Chapter 3: Project Description (APP-058) for full details).</li> </ul> <p>The Explanatory Memorandum (APP-304), and Draft DCO (APP-303), confirm development consent is sought for these elements of the Project comprising the Generating Station (NSIP), Associated Development and Ancillary Development aspects of the Project.</p> <p>Information regarding the National Grid Substation and Connection Area can be found within Section 8.5.2 of Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The National Grid Substation was also included as a part of the Projects onshore cumulative assessment as shown in Annex 1 of appendix 5.3 (APP-148)</p>
<p>Secretary of State decision making</p>	<p>EN-1  4.11.12 – 4.11.13</p>	<p>The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.</p>	<p>The Applicant has secured a grid connection in agreement with National Grid. The Project's OnSS will be located at Surfleet Marsh , with a proposed 400kV cable running under the River Welland from Surfleet Marsh to National Grid's substation at Weston Marsh. .</p>

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		Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State's ability to take subsequent decisions on any related projects.	A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the OnSS is provided in the Outline Cable Specification and Installation Plan (APP-278) and within Chapter 3 Project Description (APP-058).

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EN-1 Part 4.12: Pollution control and other environmental regulatory regimes			
Pollution Control and Other Environmental Regulatory Regimes	EN-1 4.12.1 - 4.12.2	<p>Issues relating to discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes, for example local planning consent or marine licences (see paragraph 4.5.6 for more information).</p> <p>The planning and pollution control systems are separate but complementary. The planning system controls the development and use of land in the public interest. It plays a key role in protecting and improving the natural environment, public health and safety, and amenity, for example by attaching conditions to allow developments which would otherwise not be environmentally acceptable to proceed and preventing harmful development which cannot be made acceptable even through conditions. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines how the areas most vulnerable and susceptible to pollution have been avoided where practically possible. With regards to the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures such as, but not limited to, the OLEMS (APP-284), and the OCoCP (APP-268), which will be implemented to ensure the relevant pollution control regime is properly applied and approved in advance of construction by the relevant regulator.</p> <p>Regarding offshore matters, the Government's Marine Plans have been considered in developing the Project. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Through scoping to application, Marine Plans, other relevant legislation, and feedback from relevant stakeholders, such as the MMO, has been fed into the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p> <p>With regards to the marine environment and relevant pollution control mitigation measures, these will be managed through the production of a Marine Pollution Contingency Plan (MPCP) and an outline Project Environmental Management Plan (PEMP) (APP-277), to ensure that the potential for contaminant release is strictly controlled. The PEMP will include a MPCP and will also incorporate plans to cover accidental spills, potential contaminant release, and include key emergency contact details (e.g., Environment Agency, NE, Maritime Coastguard Agency and the Project site co-ordinator). The PEMP will be secured as a condition in the dML(s).</p> <p>As detailed within Other Consents and Licences (APP-305), the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator.</p>
	EN-1 4.12.3 – 4.12.4	<p>Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting Regulations require industrial facilities to have an Environmental Permit and meet limits on allowable emissions to operate.</p> <p>Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are, will now be determined through a new UK-specific BAT process.</p>	<p>As detailed within Other Consents and Licences (APP-305) where required, relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The document provides information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of the Project.</p> <p>The Project falls outside the current UK specific BAT process.</p>
Applicant assessment	EN-1 4.12.5	<p>Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.</p>	<p>The Government's Marine Plans have been considered within the establishment of the Baseline environment, as set out in Chapter 18 Marine Infrastructure and Other Users (APP-073) which provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning phase. The Government's Marine Plans are also considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter. The Planning Statement (APP-297) concludes there</p>

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			<p>is no conflict between the NPS and any marine planning document proposals. They meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible. The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p> <p>. Further information can be found within the Consultation Report (APP-032).</p>
	EN-1 4.12.6	<p>Many projects covered by this NPS will be subject to the EPR which also incorporates operational waste management requirements for certain activities. When an applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.</p>	<p>As detailed within Other Consents and Licences (APP-305), where required the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The requirement for an environmental permit in respect of certain flood risk activities (e.g. works within the vicinity of or crossing main rivers or flood defences) has been disapplied in the draft DCO and instead, approval of details will be sought from the Environment Agency in accordance with the protective provisions (unless a flood risk activity exemption applies).</p>
	EN-1 4.12.7 – 4.12.8	<p>Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other such as marine licences.</p> <p>Wherever possible, applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent.</p>	<p>Consultation is a key part of the DCO application process. Technical Consultation regarding this Project has been conducted through the publication of the Scoping Report (Outer Dowsing Offshore Wind, 2022), the publication of the PEIR, other Phase 2 consultation materials (Outer Dowsing Offshore Wind, 2023), and discussions with relevant stakeholders through both the EPP, and bilateral consultation as appropriate. Full details of the above consultations are provided in Chapter 6 Technical Consultation (APP-061).</p>
Secretary of State decision making	EN-1 4.12.9 – 4.12.10	<p>In considering an application for development consent the SoS should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves.</p> <p>The SoS should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The SoS should act to complement but not seek to duplicate them.</p>	<p>The Project has been subject to an iterative site selection and alternatives process Chapter 4 Site Selection and Consideration of Alternatives (APP-059) which demonstrated that the development is the most suitable alternative, and an acceptable use of the land at the proposed location. Specifically, with regards the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures. These measures will be secured through the OLEMS (APP-284), the OCoCP (APP-268), and the Pollution Prevention and Emergency Incident Response Plan (PPEIERP) (APP-272) which will be implemented to ensure the relevant pollution control.</p> <p>Further information is also provided within Other Consents and Licences (APP-305) regarding the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 that will be applied for post consent, with applications made to the relevant regulator.</p> <p>The Outline Project Environmental Management Plan (APP-277) and Outline Code of Construction Practice (APP-268) and associated environmental management plans, provide the framework for the project controlling its emissions and discharges to the offshore and onshore environment by the project respectively. All onshore contractors and subcontractors will work in accordance with the Code of Construction Practice. All offshore contractors will work under a PEMP, produced in accordance with the outline PEMP. Emergency procedures will be developed under these documents for the onshore and offshore works and will include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures.</p>
	EN-1	<p>The SoS's consent may include a deemed marine licence and the MMO or NRW will advise on what conditions should apply to the dML.</p>	<p>The draft DCO incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act (MCAA) 2009, and which identify conditions that may be applied to the Project.</p>

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	4.12.11 – 4.12.13	The SoS and MMO or NRW should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation.  In considering the impacts of the Project, the SoS may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	The Order contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (dML 1) and one for the offshore transmission assets (dML 2). The Order also contains four deemed marine licences for the potential artificial nesting structures.  The Applicant has consulted extensively with the MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard to these are outlined in Consultation Report Appendix 5.1.4B Section 42 Responses (APP-038)
	EN-1  4.12.14 – 4.12.15	The SoS should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the SoS should be satisfied, before consenting any potentially polluting developments, that: <ul style="list-style-type: none"> <li>the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and</li> </ul> the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	The ES provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards potential pollution in the offshore and onshore environment.  The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.  This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project.  Regarding bullet 2 of Paragraph 4.12.15, the Project has proposed several pollution prevention measures which will ensure the Project does not exceed any statutory environmental limits, as listed below:
	EN-1  4.12.16	The SoS should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the SoS to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.	<ul style="list-style-type: none"> <li>Outline Code of Construction Practice (APP-268) which incorporates measures to prevent pollution;</li> <li>Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) will be used to prepare a final management plan and held on all construction sites to follow in the event of an environmental emergency; and</li> <li>Outline Project Environmental Management Plan (APP-277) which will control the release of contaminations relating to offshore activities. The final PEMP will also include a Marine Pollution Contingency Plan (MPCP) and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site co-ordinator). The PEMP will be secured as a condition in the deemed Marine Licence.</li> </ul>
<b>EN-1 Part 4.13: Safety</b>			
Safety	EN-1 4.13.1 – 4.13.2	In addition to its role in the planning system, the HSE is the independent regulator for workplace health and safety and is responsible for enforcing a range of health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Some technologies, for example, major accident hazard pipelines, will be regulated by specific health and safety legislation. The application of these regulations is set out in the technology specific NPSs where relevant.	Best practice health and safety measures will be secured and adhered to, namely through the OCoCP (APP-268) which sets out health and safety principles, including: <ul style="list-style-type: none"> <li>The adoption of appropriate health industry standards;</li> <li>The appointment of a principal contractor who will develop a construction phase plan that safeguards the safety of workers in accordance with legal requirements; and</li> </ul> Appropriate Personal Protective Equipment (PPE) will be worn by construction workers including sub-contractors.
	EN-1 4.13.3 – 4.13.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e., from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear)	The Applicant does not consider that the Project, either in the context of the offshore wind turbine generators (WTGs), transmission infrastructure or the OnSS to fall under the Control of Major Accident Hazards (COMAH) Regulations 2015. The Project is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the

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		and the EA acting jointly in England and by the HSE and NRW acting jointly in Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.	Project does not fall under the COMAH Regulations 2015. As such, the Applicant is not seeking to develop infrastructure subject to the COMAH regulations and a safety report is not required.
Applicant Assessment	EN-1 4.13.5– 4.13.7	Applicants should consult with the HSE on matters relating to safety. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	As noted in the response above, The Applicant does not consider that the Project, falls under the COMAH Regulations 2015  The Applicant has made use of appropriate guidance to better understand the likelihood and occurrence of an accident or disaster. The description and assessment consider the vulnerability of the Project to a potential accident or disaster and also the development's potential to cause an accident or disaster. The assessment specifically assesses significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects are presented in the ES.  The Applicant has engaged with the Health and Safety Executive (HSE) through the statutory consultation carried out under section 42 of the 2008 Act. The HSE's responses and how the Applicant has had regard to these is set out in the Consultation Report (APP- 032) and Appendix 4B to the Consultation Report (APP-038)
Secretary of State decision making	EN-1 4.13.8	The SoS should be satisfied that a safety assessment has been prepared, has raised no safety objections.	It was agreed at the Scoping stage that a separate chapter on Major Accidents and Disasters within the Environmental Statement (ES) was not required. The risk of 'major accidents and/or disasters' occurring associated with any aspect of the Project, during the construction, operation and decommissioning phases are anticipated to be negligible, following guidance published by IEMA on Major Accidents and Disasters in EIA (IEMA, 2020). Instead, an outline Code of Construction Practice and Outline Pollution Prevention and Emergency Incident Response Plan has been provided as part of the DCO application (APP-268 and APP-272). A Hazard Identification (HazID) Report will be prepared and agreed with the relevant planning authority prior to construction of DCO Work  Safety elements have been assessed throughout the ES for the Project. A safety statement will be produced post consent.
<b>EN-1 Part 4.14: Hazardous substances</b>			
Hazardous Substances	EN-1 4.14.1 – 4.14.4	All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.' Where HSE does not advise against the SoS granting the consent, it will also recommend whether the consent should be granted subject to any requirements.	It is not the intention of The Applicant to apply for Hazardous Substance Consent.  Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed within Chapter 30 Human Health (APP-085).  The OnSS would contain potential pollutants which could include cooling oils, lubricants, fuels, greases, etc. The design, maintenance and operation of the facility would follow good practice in line with the prevailing future guidance and legislation with regard to measures such as the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants.  Further to this the ES (APP-055) provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards to potential pollution in the offshore and onshore

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			<p>environment. The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.</p> <p>This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project. It should also be noted that the DCO will contain a condition in the dMLs that will require a MPCP to be submitted for approval post consent which will also provide mitigation relating to the control of hazardous substances. An outline Project Environmental Management Plan (APP-277) has been provided which will control the release of contaminations relating to offshore activities. The final PEMP will also include the MPCP and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site coordinator).</p>
Applicant Assessment	EN-1 4.14.5 - 4.14.6	<p>Applicants must consult the (HSA) and HSE at pre-application stage if the Project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety.</p> <p>HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The Applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.</p>	It is not the intention of The Applicant to apply for Hazardous Substance Consent.
Secretary of State decision making	EN-1 4.14.7	Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The Secretary of State should consult HSE about this.	
<b>EN-1 Part 4.15: Common Law Nuisance and Statutory Nuisance</b>			
Common Law Nuisance and Statutory Nuisance	EN-1 4.15.1 - 4.15.4	<p>Section 158 of the Planning Act 2008 confers statutory authority for carrying out development consented to by, or doing anything else authorised by, a DCO.</p> <p>Such authority is conferred only for the purpose of providing a defence in any civil or criminal proceedings for nuisance. This would include a defence for proceedings for nuisance under Part III of the Environmental Protection Act 1990 (EPA) (statutory nuisance) but only to the extent that the nuisance is the inevitable consequence of what has been authorised.</p> <p>The defence does not extinguish the local authority's duties under Part III of the EPA 1990 to inspect its area and take reasonable steps to investigate complaints of statutory nuisance and to serve an abatement notice where satisfied of its existence, likely occurrence or recurrence.</p> <p>The defence is not intended to extend to proceedings where the matter is "prejudicial to health" and not a nuisance.</p>	Whilst paragraph 4.15.1-4.15.4 does not set out specific requirements, Chapter 26 Noise and Vibration (APP-081) outlines that the relevant statutory and non-statutory authorities and stakeholders with respect to noise have been consulted and consequent feedback has influenced the design of the Project and the proposed mitigation, including the Outline Noise and Vibration Management Plan (APP-269) which will be secured as a result of the Project.
Applicant Assessment	EN-1 4.15.5	At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration)	The Applicant has provided a Statutory Nuisance Statement (APP-301) in accordance with Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 which requires the applicant for a DCO to provide a statement as to whether the application engages

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Secretary of State decision making	EN-1 4.15.6- 4.15.7	<p>At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).</p> <p>The SoS should note that the defence of statutory authority is subject to any contrary provision made by the SoS in any particular case in a DCO (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the SoS can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.</p>	<p>Section 79(1) (Statutory nuisances and inspections therefor) of the Environmental Protection Act 1990 (the 1990 Act) and, if it does, how the applicant intends to mitigate or limit such nuisances.</p> <p>The Statutory Nuisance Statement draws upon the ES (APP-055) to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297). The ES, which has been prepared by the Applicant as part of the process of environmental impact assessment for the application, has analysed the potential significant effects of a number of elements specified in Section 79(1) of the 1990 Act.</p> <p>The Project has identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas which could suffer from nuisance are located away from the Project's infrastructure elements as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Throughout the ES, the Project proposes several mitigation measures to limit nuisance, including as outlined in the Outline Code of Construction Practice (OCocP) (APP-268) which sets out best practice measures and standard protocol which will be incorporated into the final CoCP</p> <p>The Statutory Nuisance Statement demonstrates that, with the implementation of these mitigation measures where appropriate (which will be secured by requirements attached to the DCO), claims for statutory nuisance are unlikely to arise from the Project.</p> <p>Whilst it is not expected that the construction, operation, maintenance or decommissioning of the Project would engage Section 79(1) by causing statutory nuisances, the draft DCO (APP-303) that accompanies the application contains a provision at Article 8 (Defence to proceedings in respect of statutory nuisance) to provide a defence to proceedings for statutory nuisance, should they be initiated against the Applicant (or its successors) as undertakers of the Project.</p>
<b>EN-1 Part 4.16: Security Considerations</b>			
Security Considerations	EN-1 4.16.1 - 4.16.5	<p>National security considerations apply across all national infrastructure sectors. DESNZ works closely with government security agencies including the National Protective Security Authority (NPSA) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation.</p> <p>In the UK's civil nuclear industry, security is also independently regulated by the ONR.</p> <p>Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Where applications for development consent for infrastructure covered by this NPS relate to potentially 'critical' infrastructure, there may be national security considerations.</p> <p>DESNZ will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified.</p>	<p>The Applicant has consulted to ensure that security measures have been considered and included where necessary to manage security risks. No security risks have been identified.</p> <p>DESNZ have already been notified during the pre-application stage about the proposals in line with Paragraph 4.16.5 of EN-1.</p>
Applicant Assessment	EN-1 4.16.6 – 4.16.7	<p>Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, ONR (for civil nuclear) and/or DESNZ to ensure</p>	<p>The Applicant has consulted with DESNZ to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. No security risks have been identified by CPNI, ONR (for civil nuclear) and/or DESNZ.</p>

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		security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. The applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.	ES Chapter 16: Aviation, Radar, Military and Communication (APP-071) confirms that the Applicant has been and will continue to engage with the MOD during the application process. The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar (PSR) systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
Security considerations	EN-1 4.16.8 – 4.16.10	If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the SoS, it will provide confirmation of this to the SoS. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence may take place in a closed session as set out under Examination Procedure Rules. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government’s Environmental Improvement Plan 2023.	The Applicant does not consider there to be any security implications arising from the Project and (subject to relevant consultation responses) does not, therefore, expect the SoS to have to give further consideration to the details of the security measures in its examination.
<b>EN-1 Part 5: Generic Impacts</b>			
<b>EN-1 Part 5.2: Air Quality and Emissions</b>			
Air Quality and Emissions	EN-1 5.2.1 - 5.2.2	Energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).  Legal limits for pollutants in ambient air are set out in the Air Quality Standards Regulations 2010 and for England, national objectives set out in the Air Quality (England) Regulations 2000 reiterated in the Air Quality Strategy, or for Wales, the Air Quality (Wales) Regulations 2000 and the Clean Air Plan for Wales. In addition, two fine particulate matter (PM2.5) targets were set under the Environment Act 2021 for England – an annual mean concentration target and a population exposure target. Internationally agreed emissions commitments are set in the National Emission Ceilings Regulations 2018 and establish limits for total UK emissions of key pollutants.	Chapter 19 Onshore Air Quality (APP-074) sets out several proposed measures to ensure that the Project does not have significant effects on air quality. These include: <ul style="list-style-type: none"> <li>▪ Carrying out construction works in accordance with best practice measures; and</li> <li>▪ The preparation of the OCoCP (APP-268) that outlines management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The document also includes a series of controls that are detailed with the Outline Air Quality Management Plan (OAQMP) (APP-270).</li> </ul> The assessment within Chapter 19 Onshore Air Quality (APP-074) also considers relevant legislation including the Air Quality Standards Regulations 2010 which support the conclusion that the Project will not result in any significant adverse effects given the thresholds/legal limits are not exceed as a result of the proposals.
	EN-1 5.2.3 - 5.2.4	For many air pollutants there is not a threshold below which there is no health impact so it is important that energy infrastructure schemes consider not just how a scheme may impact statutory air quality limits, objectives or targets but also measures to mitigate all emissions in order to minimise human exposure to air pollution, especially for those who are more susceptible to the impacts of poor air quality.	Chapter 30 Human Health (APP-085) concludes that. , no significant impacts are predicted and the change in air quality is below all statutory thresholds for health protection (during the construction phase). The Project has committed to embedded mitigation as set out in Table 30.6 in APP-085 including the development of and adherence to a CoCP during construction to mitigate all emissions and minimise human exposure to air pollution including potentially vulnerable groups as assessed in section 30.5. Potential effects in relation to Eutrophication are considered in Chapter 19 Onshore Air Quality (APP-074).

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		<p>In addition, a particular effect of air emissions from some energy infrastructure may be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of NOx and ammonia. The main emissions from energy infrastructure are from generating stations. Eutrophication can affect plant growth and functioning, altering the competitive balance of species and thereby damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal blooms, which remove oxygen from the water, adversely affecting plants and fish. The effects on ecosystems can be short term or irreversible and can have a large impact on ecosystem services such as pollination, aesthetic services and water supply.</p>	<p>Chapter 19 Onshore Air Quality (APP-074) considers air quality impacts during construction to sensitive ecological receptors as a result of dust and concludes that impacts on ecological designations are insignificant.</p>
Applicant Assessment	EN-1 5.2.8 – 5.2.11	<p>Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES. The ES should describe:</p> <ul style="list-style-type: none"> <li>▪ existing air quality concentrations and the relative change in air quality from existing levels;</li> <li>▪ any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; and</li> <li>▪ the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts.</li> </ul> <p>In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.</p> <p>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and The Applicant should ensure these are current at the point of an application. The Applicant’s assessment should be consistent with this but may include more detailed modelling to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the ExA along with the source.</p>	<p>The assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074) with further detailed information provided in the following documents:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 19 Appendix 1 Construction Dust Assessment Methodology (APP-176)</li> <li>▪ ES Chapter 19 Appendix 2 Non-Road Mobile Machinery Emissions Assessment (APP-177)</li> <li>▪ ES Chapter 19 Appendix 3 Offshore Activities Assessment (APP-178)</li> <li>▪ ES Chapter 19 Appendix 4 Road Traffic Dispersion Modelling (APP-179)</li> </ul> <p>Section 19.4 of the ES Chapter describes the baseline environment including the existing conditions and the future baseline used in the assessment of impacts. Section 19.8 provides an assessment of any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project.</p> <p>The Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance are considered in Section 19.4 to 19.9 of the Onshore Air Quality Chapter (APP-074).</p> <p>During the construction phase, the assessment focussed on potential impacts from dust, Non-Road Mobile Machinery (NRMM), and offshore vessel emissions. Results indicate negligible to minor adverse effects, all considered to be non-significant in accordance with the EIA regulations. Specific mitigation measures were outlined for dust and NRMM, contributing to the overall not significant conclusion. Temporary increases in traffic, a consequence of construction activities, were also evaluated, with the study determining these effects on human and ecological receptors to be temporary and non-significant. Traffic associated with both future planned developments and live projects and plans were considered in the assessment, which resulted in cumulative impacts being assessed.</p> <p>In relation to the operations and maintenance phase, a screening of road traffic impacts concluded that anticipated changes to the volume of traffic is below the relevant screening criteria, rendering further assessment unnecessary, as acknowledged through the received Scoping opinion. This phase was thus considered to have negligible and non-significant effects on onshore air quality.</p> <p>For decommissioning activities, these are not anticipated to exceed the MDS criteria established for the construction phase. Given that the effects associated with the construction phase are considered not significant, no additional assessment of the decommissioning phase is necessary, however a decommissioning plan will be developed in due course.</p>

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			<p>There are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</p> <p>Consideration to the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance is given within the ES Chapter.</p>
	EN-1 5.2.12	Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets or affect the ability of a noncompliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/ strategy at the time of the decision, The Applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	<p>Chapter 19 Onshore Air Quality (APP-074) assesses the risk and significance of potentially significant emissions to air, with and without appropriate mitigation and outlines that relevant air quality limits/regulations will not be breached as a result of the Project.</p> <p>As such it is considered that the ES for the Project is in accordance with paragraph 5.2.7 of EN-1.</p>
	EN-1 5.2.13	The SoS should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England or the Clean Air Plan in Wales or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance.	<p>This assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074). This is as consequence of the embedded mitigation measures set out in the chapter ,namely:</p> <ul style="list-style-type: none"> <li>▪ The OAQMP (APP-270) which includes measures relating to dust control and NRMM emissions. The construction dust assessment methodology identifies mitigation measures recommended for inclusion; and</li> <li>▪ The OCoCP (APP-268). In addition, the Outline Soil Management Plan (APP-271), which forms part of the OCoCP, and sets out the principles and procedures for general good practice mitigation for soil management.</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO and include several measures that will control air quality. This includes ensuring all construction work is undertaken in accordance with best practice measures.</p> <p>The assessment in Chapter 19 Onshore Air Quality (APP-074) has been undertaken with reference to the Air Quality Strategy in England and Defra’s LAQM guidance.TG22 (Defra, 2022) and PM2.5 targets guidance.</p>
	EN-1 5.2.14	The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	<p>The mitigation measures outlined within Section 5.14 have been included within Chapter 19 Onshore Air Quality (APP-074), ES Chapter 27: Traffic and Transport (APP-082), and the review of Section 5.14 in this policy accordance table for further information.</p> <p>ES Chapter 27 sets out a number of mitigation measures that will be beneficial in reducing air emissions from transport. These measures include :</p> <ul style="list-style-type: none"> <li>▪ An Outline CTMP that sets out the key principles and types of measures to be implemented during construction</li> <li>▪ An Outline TP which includes a range of demand management measures including a target car share ratio; and</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO.</p>
Secretary of State decision making	EN-1 5.2.15 – 5.2.16	Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government’s Environmental Improvement Plan 2023.	<p>With regard to pollution control, please see responses to NPS EN-1- 4.12</p> <p>Chapter 19 Onshore Air Quality (APP-074) outlines that with the implementation of proposed mitigation, which include the OAQMP (APP-270) and the OCoCP (APP-268), the Project will not result in the breach of any national or statutory air quality limits or objectives. The assessment set out in Chapter 19 concludes that there will be no substantial changes in air quality levels</p>

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		The SoS should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives, or targets.	To limit harm to sensitive receptors, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects. It should be noted that all sensitive receptors have been considered and no significant impacts have been identified.
	EN-1 5.2.17 – 5.2.18	The SoS should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the SoS should refuse consent.	
	EN-1 5.2.19	In all cases, the SoS must take account of any relevant statutory air quality limits objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the SoS should refuse consent.	
<b>EN-1 Part 5.3 – Greenhouse Gas Emissions</b>			
Greenhouse Gas Emissions	EN-1 5.3.1 – 5.3.3	Significant levels of energy infrastructure development are vital to ensure the decarbonisation of the UK economy. The construction, operation and decommissioning of that energy infrastructure will in itself, lead to GHG emissions.  In considering this section, applicants should also have regard to Part 2 of this NPS, which explains the current policy on climate change and how this NPS interacts with that policy, and Section 4.10 of this NPS, which deals with climate change adaptation.  As discussed in Part 2, energy infrastructure plays a vital role in decarbonisation. While all steps should be taken to reduce and mitigate climate change impacts, it is accepted that there will be residual emissions from energy infrastructure, particularly during the economy wide transition to net zero, and potentially beyond.	The Project would provide up to 100 wind turbines, supporting the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy and therefore will play a vital role in national decarbonisation.  Climate change policy and projections have been considered across each ES chapter and a GHG assessment was undertaken as part of the Chapter 31 Climate Change (APP-086) . ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed. Most importantly, the assessment demonstrated that there will be no significant impacts across all the stages of the Project.
Applicant Assessment	EN-1 5.3.4	All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.2). This should include: <ul style="list-style-type: none"> <li>▪ A whole life GHG assessment showing construction, operational and decommissioning GHG impacts including impacts from change of land use;</li> <li>▪ An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages;</li> <li>▪ Measurement of embodied GHG impact from the construction stage;</li> <li>▪ How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures;</li> <li>▪ How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology.;</li> <li>▪ Calculation of operational energy consumption and associated carbon emissions.;</li> </ul> Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate	A GHG assessment was undertaken as part of the assessment outlined in Chapter 31 Climate Change (APP-086) and addresses all the provisions set out in EN-1 Paragraph 5.3.4.  The climate change assessment for the Project involved a thorough analysis of its environmental impact throughout the entire life cycle. This included evaluating the carbon footprint associated with everything from manufacturing the raw materials for construction to the eventual recycling or disposal at the end of its 35-year lifespan, alongside the benefit produced from the renewable electricity generated.  The estimated greenhouse gas emissions for the operation phase are 5.3 million metric tons of CO2 equivalent. This calculation considered a combination of jacket/pile and Gravity-Based Structure (GBS) foundations. The Project aims to generate 7,227GWh (gigawatt-hours) of electricity annually, resulting in a relatively low carbon intensity of about 20.8 grams of CO2 equivalent per kilowatt-hour (kWh).  Comparing this to alternative electricity generation methods like gas Combined Cycle Gas Turbine (CCGT) (with carbon intensity of 371g CO2eq/kWh), the Project is expected to offset its construction-related emission in approximately two years. This highlights the Project’s environmental benefits, showing that it efficiently manages and minimises its carbon impact.

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		change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed	
Mitigation	EN-1 5.3.5 – 3.5.6	A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	<p>A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.</p> <p>The Project also meets the need in the UK for the types of energy infrastructure covered by EN-1 and contributes significantly towards the UK’s current cumulative electricity supply deployment target for 2030, supporting the UK in delivery secure, reliable and affordable energy as part of net zero commitments.</p> <p>The Project would provide up to 100 wind turbines, create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</p>
	EN-1 5.3.7	Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, peatland restoration and through other natural habitats.	<p>Approaches to reduce GHG reduction are set out in both Chapter 19 Onshore Air Quality Onshore Air Quality (APP-074) and Chapter 31 Climate Change Climate Change (APP-086) which sets out the approach to minimise GHG through proposed mitigation.</p> <p>This is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) which outlines potential areas which could serve as a carbon sink.</p>
Secretary of State decision making	EN-1 5.3.8 – 5.3.9	The SoS must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. The SoS should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development.	A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.
	EN-1 5.3.10	The SoS should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.	
	EN-1 5.3.11 – 5.3.12	Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Sections 2.4), Government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate	
			Refer to the Applicant’s response for Paragraph 5.3.4

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		commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.	
<b>EN-1 Part 5.4: Biodiversity and Geological Conservation</b>			
Biodiversity and Geological Conservation	EN-1 5.4.1 – 5.4.3	<p>Biodiversity is the variety of life in all its forms and encompasses all species of plants, animals and fungi, the genetic diversity they contain and the complex ecosystems of which they are a part. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance.</p> <p>In the 25 Year Environment Plan, the government set out its vision for a quarter-of-a-century action to help the natural world regain and retain good health. A commitment to review the plan every 5 years was set into law in the Environment Act 2021. The Environmental Improvement Plan was published in 2023, which reinforces the intent of the 25 Year Environment Plan and sets out a plan to deliver on its framework and vision. The government’s policy for biodiversity in England is set out in the Environmental Improvement Plan 2023, the National Pollinator Strategy and the UK Marine Strategy. The aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge presented by climate change. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides.</p> <p>The wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues are set out in a Government Circular. The NPPF and Natural Environment PPG document sets out good practice in England in relation to planning for biodiversity and geological conservation. In Wales, TAN 5: Nature Conservation and Planning sets out how the land use planning system should contribute to biodiversity and geological conservation</p>	<p>The Project has adopted a positive approach to biodiversity through avoiding the most sensitive ecological areas (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and all relevant policy outlined within Paragraph 5.4.1-5.4.3 has been considered in Chapter 21 Onshore Ecology (APP-076).</p> <p>The Applicant has also committed to several mitigation/compensatory measures that will enhance biodiversity.</p>
Habitats Regulations	EN-1 5.4.4 – 5.4.6	<p>The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas.</p> <p>As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required:</p> <ul style="list-style-type: none"> <li>▪ potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>▪ listed or proposed Ramsar sites; and</li> <li>▪ sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.</li> </ul> <p>The British Energy Security Strategy committed to establishing Strategic Compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information.</p>	<p>As demonstrated throughout the ES Non-Technical Summary (APP-055) and RIAA (APP-235), the Applicant has shown how any likely significant negative effects to sites identified through international conventions would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy.</p> <p>Designated sites and features have been screened, in consultation with Natural England, and considered within the RIAA (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case (APP-242) for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the [RIAA]. As set out in Section 1.2 of the derogation case and as set out in [table 13.1 of the RIAA], the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Sites of Special Scientific Interest (SSSIs)	EN-1 5.4.7 – 5.4.8	<p>Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs.</p> <p>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.</p>	<p>The Project site selection process has avoided direct interaction with all relevant SSSIs (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes 15 SSSIs (excluding geological designations). The onshore Order Limits have been designed to avoid designated sites where practicable. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on SSSIs.</p>
Marine Conservation Zones (MCZ)	EN-1 5.4.9	<p>MCZs (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act, 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries.</p>	<p>A Marine Conservation Zone Assessment (APP-157) has been undertaken by the Applicant and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Marine Protected Areas (MPA)	EN-1 5.4.10 – 5.4.11	<p>MPA is a term used to describe the network of habitat sites, SSSIs, MCZs, and Highly Protected Marine Areas (HPMAs) in the English and Welsh marine environment.</p> <p>It is important that relevant guidance on managing environmental impacts of infrastructure in marine protected areas is followed, and that equal consideration of the effect of proposals should be given to all MPAs regardless of the legislation they were designated under. This is because all sites contribute to the network of MPAs and therefore to overall network integrity. In England, government have established a MPA condition target under the Environment Act.</p>	<p>Impacts on MPA have been considered within the following chapters of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7 Marine Physical Processes (APP-062)</li> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064)</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ Chapter 11 Marine Mammals (APP-066)</li> <li>▪ 7.1 Report to Inform Appropriate Assessment (RIAA) (APP-235)</li> <li>▪ 7.2 Habitats Regulations Assessment Screening Report (APP-239)</li> <li>▪ 7.3 Report to Inform Appropriate Assessment Appendix 1: Screening Matrices (APP-240)</li> </ul> <p>See comments against EN-1 paragraph 4.2.13.</p>
Regional and Local Sites	EN-1 5.4.12 – 5.4.13	<p>Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution.</p> <p>National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.</p>	<p>The Project mapped and considered all sites of local biodiversity and geological interest as part of their constraints mapping exercises outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), ES Chapter 21 (APP-076) and Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The assessment has considered indirect impacts on locally and regionally important sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.</p> <p>The OLEMS (APP-284) sets out a number of high quality design measures that will, in addition to providing mitigation, also deliver biodiversity enhancements. Responses to Section 4.6.15 – 4.6.18 of EN-1 outlines further detail on the Applicant's compliance regarding enhancement.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats	EN-1 5.4.14 – 5.4.15	<p>Irreplaceable habitats are habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity.</p> <p>Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the Government's policy for ancient and native trees and woodlands in England sets out the Government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active management. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh, scrub, and lowland fen.</p>	<p>Several methods within the Project have been adopted to avoid the loss of irreplaceable habitats. This includes the first phase approach of avoidance through siting of the Project infrastructure outside of these habitats and, as stated in Table 1.15 of Chapter 21 Onshore Ecology (APP-076), the adoption of trenchless techniques to avoid permanent loss of habitats, including irreplaceable and Priority habitats that could not be avoided by the siting of the Project. With mitigation in place the project will result in no significant effects relating to Priority Habitats (that include irreplaceable habitats) as concluded in APP-076.</p> <p>Ancient woodlands have been scoped out of the assessment as there are no designations of this type within the Order Limits or within the study area as set out in ES Chapter 21 Onshore Ecology (reference), which is set as 2km from the Order Limits. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No ancient or veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible (for example features (e.g. trees) bordering a compound that can be retained). Although not progressed within the impact assessment, precautionary mitigation measures for all mature trees, including any with potential veteran tree features are proposed including avoidance measures and pre-construction surveys for any trees that must be removed (OLEMS, APP-284). Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.</p>
Protection and enhancement of habitats and species	EN-1 5.4.16	<p>Many individual species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action.</p>	<p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p>
Applicant Assessment	EN-1 5.4.17 – 5.4.18	<p>Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</p>	<p>The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Effects on these internationally, nationally, and locally designated sites of ecological or geological conservation importance have been assessed (where relevant), with reference to protected species identified as being important for the conservation of biodiversity both onshore and offshore. Chapters of relevance are presented in Volume 1 of the ES (DCO Application Part 6.1):</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the SoS consider thoroughly the potential effects of a proposed project.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067))</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>Other application documents of relevance outside of the ES include the:</p> <ul style="list-style-type: none"> <li>▪ Report to Inform Appropriate Assessment (APP-235)</li> <li>▪ Biodiversity Net Gain Report Principles and Approach (APP-302).</li> <li>▪ Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</li> </ul> <p>The outline Code of Construction Practice (APP-268) includes a number of measures to minimise the impact to ecology during construction.</p> <p>As noted in ES Chapter 5: EIA Methodology (APP-060), A Proportionate Approach has been adopted for the Project.</p>
	<p>EN-1 5.4.19 – 5.4.21</p>	<p>The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond BNG, which result in wider environmental gains (see Section 4.6 on Environmental and BNG). The scope of potential gains will be dependent on the type, scale, and location of each project.</p>	<p>Areas of biodiversity and geological interest have been avoided in the siting and design of the Project.. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and those specific to biological conservation interests are detailed within ES Chapter 21 Onshore Ecology (APP-076) while the effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance and siting / project refinements undertaken are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Proposals to provide enhancement have been discussed with the Environment Agency, NE and Local Wildlife Organisations via the Project’s Evidence Plan process (EPP) and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within the OLEMS (APP-284).</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076) and outline Landscape and Ecological Management Strategy (OLEMS) (APP-284). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p> <p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project and therefore operates as the Biodiversity Management Strategy referenced by draft NPS EN-1 Paragraph 5.4.36.</p> <p>The Applicant’s approach to BNG and compliance with relevant Policy is set out in the response to Section 4.6 of EN-1.</p>
	<p>EN-1 5.4.22</p>	<p>The design of Energy NSIP proposals will need to consider the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere</p>	<p>The following chapters have all considered the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.</p>	<ul style="list-style-type: none"> <li>■ Chapter 12 Offshore and Intertidal Ornithology (APP-067);</li> <li>■ Chapter 10 Fish and Shellfish Ecology (APP-065),</li> <li>■ Chapter 11 Marine Mammals (APP-066) and</li> <li>■ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>A screening of potential transboundary effects was undertaken at the Scoping stage of the project which identified that there was no potential for significant transboundary effects to occur in relation to benthic and intertidal ecology, marine mammals and fish and shellfish ecology. While as outlined in relation to offshore and intertidal ornithology there is the potential for collisions and displacement at OWFs outside of the UK territorial waters the spatial scale and therefore seabird reference populations would be much larger and any conclusions drawn from existing cumulative impact assessments are unlikely to change.</p>
Applicant assessment- Habitats Regulation	EN-1 5.4.25	<p>The Applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to agree and record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.</p>	<p>The SoS will undertake a Habitats Regulation Assessment (HRA) in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017. As part of the HRA process, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent APP-057) with the relevant information to facilitate this HRA.</p> <p>The Applicant has liaised with Natural England and JNCC (the appropriate SNCBs) throughout the pre-application and HRA process through both statutory consultation and participation in the Evidence Plan Process (EPP). The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>In addition, comments relevant to the wider ES have been incorporated into the relevant documents on which the RIAA draws and have been taken into account indirectly during the preparation of the RIAA where relevant (this includes any comments received in the Scoping Opinion that are of relevance to designated sites and therefore the RIAA)</p> <p>Feedback on a draft version of the RIAA (Outer Dowsing Offshore Wind, 2023) was received from Natural England on 20 July 2023. Section 4 of the RIAA sets out the Applicant's response to feedback and how this has been incorporated within the submission.</p>
	EN-1 5.4.26 – 5.4.28	<p>If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.</p> <p>If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before</p>	<p>As part of the HRA process, a screening exercise has been undertaken, in consultation with the SNCB, followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>Please see the Applicant's response to paragraph 4.2.9 above.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>the close of the examination. This information must include assessment of alternative solutions, a case for IROPI and appropriate environmental compensation.</p> <p>Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow The Applicant the opportunity to provide such information following the examination.</p>	
	<p>EN-1 5.4.29 – 5.4.30</p>	<p>It is vital that applicants consider the need for compensation as early as possible in the design process as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process.</p> <p>Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.</p>	<p>As noted in the response to paragraph 4.2.9, the Applicant has provided a compensation plan in respect of kittiwake, in the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the other relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>Provisions to secure the delivery of compensation (to the extent that the Secretary of State decides that this is necessary) are set out in the draft DCO (APP-303). The compensation options and plans have been the subject of extensive consultation with relevant stakeholders, as detailed therein, both through statutory consultation carried out under section 42 of the 2008 Act and participation in the EPP and ETGs. Additionally the Applicant has participated in the Collaboration in Offshore Wind Strategic Compensation (COWSC) led by the Offshore Wind Industry Council (OWIC) and the Crown Estate Kittiwake Strategic Compensation Plan (APP-260).</p> <p>The Applicant has the ability through the DCO to deliver strategic compensation through the Marine Recovery Fund.</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243)</li> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Sandbank Compensation Implementation and Monitoring Plan (APP-245)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Biogenic Reef Compensation Implementation and Monitoring Plan (APP-247)</li> <li>▪ Without Prejudice Benthic Compensation Evidence Base and Road Map (APP-248)</li> <li>▪ Ornithology Compensation Strategy (APP-249)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Outline Kittiwake Compensation Implementation and Monitoring Plan (APP-251)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Outline Guillemot Compensation Implementation and Monitoring Plan (APP-253)</li> <li>▪ Outline Razorbill Compensation Implementation and Monitoring Plan (APP-254)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> <li>▪ TCE Strategic Kittiwake Compensation Plan (APP-260); and</li> <li>▪ Compensation Funding Statement (APP-264)</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.4.31	Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	<p>In addition to the kittiwake compensatory measures identified above the Applicant recognised the potential need to develop without prejudice compensatory measures for impacts arising from the Project from an early stage of the development. Consequently, at the outset of the Evidence Plan Process (EPP), an Expert Technical Group (ETG) was developed to cover derogation and compensation early on in the development process. After the initial meetings, this group was split into the two relevant technical workstreams (one for benthic ecology and the other for offshore ornithology).</p> <p>Consultee comments can be found in the following compensation plans listed in the response above (APP-243 – APP-264) and in the Consultation Report (APP-032).</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> </ul>
Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN – 1 5.4.32	Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase.	<p>Mitigation measures for ecological receptors including ancient woodland, ancient and veteran trees or other irreplaceable habitats are included in Table 3-4 of the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).</p> <p>For further details see the Applicant’s response to NPS EN-1 5.4.14 – 5.4.15</p>
Protection and enhancement of habitats and other species	EN-1 5.4.33 – 5.4.34	Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	<p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project.</p> <p>Compensation for loss of hedgerows and trees will be provided by re-instating native, species-rich hedgerows with heavy standard trees. Hedges will be reinstated at their original location (or as close as possible), new hedgerows will be located to re-establish links and maintain the network. New hedgerows will comprise a locally appropriate mixture of at least seven woody species and include heavy standard trees at a 3:1 ratio for any lost. Species selection will reflect established hedgerow species found within the local area and will be designed as mixed hedgerows to encourage biodiversity. Older hedgerow saplings will be used to re-establish hedgerows more quickly, as well as gap-fill existing hedges. All saplings will be planted with appropriate protection from pests.</p> <p>The Project has made a commitment to reinstate habitats as soon as practicable following construction.</p> <p>Compensation bat roost features will be provided for every potential roost feature (as identified by the pre-commencement/ pre-construction surveys) affected prior to loss. This compensation measure applies regardless of whether a confirmed roost is affected. The compensation roost features will aim to provide a functionally equivalent potential roost resource and may include re-use of cavity containing sections, re-use of whole felled trunks by setting vertically as monoliths, veteranisation (cutting and carving into healthy trees to mimic nature, to speed the process of decay and rot holes) and/or bat boxes on retained trees or installed poles, as appropriate.</p>

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			<p>Proposals to provide enhancement have been discussed with the Environment Agency, Natural England and Local Wildlife Organisations via the EPP meetings and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within OLEMS (APP-284).</p> <p>Opportunities for the creation and enhancement of arable field margins will be developed in the detailed design, with any specifications set out in the Ecological Management Plan (EMP).</p> <p>Opportunities for enhancement and creation of terrestrial habitats exist at both the OnSS and the surrounding proposed landscape screening around the OnSS. Subject to detailed design and agreement from landowners, this could include the management of habitat specifically for amphibians, along with the creation of refugia, wider and more species rich field margins, and an increase in the network of wildlife corridors for amphibian movement. Any enhancement measures would be included as part of the detailed project design and secured within the EMP. Enhancement may also include the installation of a range of bird boxes and the creation of earth banks for invertebrates, refugia for reptiles, amphibians and small mammals</p> <p>Greater Frampton Vision is a Landscape Recovery project on the edge of the Wash in Lincolnshire, England. Some of the land within the Greater Frampton Vision is within the ECC and would be impacted by works. Where habitats are lost to site clearance, a basic program of like-for-like reinstatement would be applied. However, this would be on the understanding that mitigation may be realigned to accommodate RSPB's plans for the area or where those habitats have functionality for protected species, the habitat would be reinstated and improved. An example of this is the reinstatement of hedgerow habitats in this area, where RSPB's conservation strategy is to remove hedgerows in their vision area. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). The Applicant is intent on leaving the environment in a measurably better state than before and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p> <p>In accordance with the mitigation hierarchy BNG should ideally be delivered on-site, near to where negative impacts occur, wherever possible. However, land ownership constraints may limit the scope to provide sufficient enhancement for measurable net gains within the Order Limits.</p>
Mitigation	EN-1 5.4.35	<p>Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the Applicant should demonstrate that:</p> <ul style="list-style-type: none"> <li>▪ during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</li> <li>▪ the timing of construction has been planned to avoid or limit disturbance;</li> <li>▪ during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;</li> <li>▪ habitats will, where practicable, be restored after construction works have finished;</li> <li>▪ opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site</li> </ul>	<p>In addition to the consideration of restoration, creation, and enhancement of biodiversity outlined in the response above, mitigation measures are proposed within Sections 21.7 and 21.9 of the ES Chapter 21 Onshore Ecology (APP-076) and throughout the OLEMS (APP-284) for avoidance and mitigation measures. Examples of the proposed measures include (but are not limited to):</p> <ul style="list-style-type: none"> <li>▪ Careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</li> <li>▪ Where the Order Limits crosses Local Wildlife Sites and LWT reserves (such as Anderby Creek Sand Dunes LWS), trenchless techniques will be used.</li> <li>▪ An Ecological Clerk of Works (ECoWs) will be employed to oversee construction work and minimise risks to Important Ecological Features (IEFs), as described in the OLEMS</li> </ul>

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		<p>landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised mitigations required as a result of legal protection of habitats or species will be complied with.</p>	<ul style="list-style-type: none"> <li>■ Checks for the presence of badger setts, reptiles, amphibians, hedgehogs and other protected or notable species will be carried out by the ECoW prior to vegetation clearance.</li> <li>■ In response to comments from NE the Project has committed to the retention and protection of bat flight lines during construction using protective fencing (such as Heras) to protect retained hedgerows and trees (including their root structure) from damage during construction. These will further be retained and protected through sensitive lighting design, which will be outlined in the Artificial Light Emissions Management Plan forming part of the final (CoCP).</li> <li>■ The CoCP and associated management plans include measures to reduce construction noise, dust, lighting and other emissions as well as pollution prevention measures and measures to protect and restore soils</li> <li>■ All construction work will be undertaken in accordance with the biosecurity measures outlined in section 3.4 of the OLEMS (APP-284).</li> <li>■ Removal of vegetation will take place outside of the breeding season (considered to be March – August inclusive) wherever possible.</li> <li>■ Seasonal restriction to works within 400m of core areas used by foraging brent geese at the Haven</li> <li>■ Localised working for winter works</li> </ul> <p>In addition to onshore measures, offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul> <p>During the operation and maintenance phase mitigation measures will include a Scour Protection Management Plan (SPMP), while a Decommissioning Programme will be developed for the decommissioning phase. Further details can be found in the Outline Scour Protection and Cable Protection Management Plan (APP-295).</p>
	<p>EN-1 5.4.36 and 5.4.38</p>	<p>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.</p> <p>To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.</p>	<p>The OLEMS (APP-284) acts at the Project’s approach to biodiversity management and is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302).</p> <p>The Outline Landscape and Ecological Management Strategy (OLEMS) (document APP-284) sets out the key landscape and ecology principles to inform the future Landscape Management Plan (LMP) and EMP, which are secured for submission post-consent by a requirement of the draft Development Consent Order (DCO) (APP-303) post consent. The OLEMS presents embedded mitigation with regard to habitat reinstatement, enhancement and creation. The future LMP and EMP would be based on the OLEMS principles and would set out the measures that the Applicant and their contractors would be required to adopt. The future LMP and EMP will be prepared in consultation with the Local Planning Authority (LPA). The OLEMS, therefore, operates as the Biodiversity Management Strategy referenced by NPS EN-1.</p> <p>The effects on geodiversity are considered within Chapter 23 Geology and Ground Conditions Geology and Ground Conditions (APP-078).</p> <p>Overall, through the implementation of mitigation measures, including those specified in the OCoCP (APP-268), it is considered that the likely overall effect of the Project on geodiversity and land use throughout the construction, operation and decommissioning of the Project is not significant in EIA terms.</p>

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Secretary of State decision making	EN-1 5.4.39 and 5.4.41	<p>The Government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The SoS should have regard to the aims and goals of the Government's Environmental Improvement Plan 2023 and in Wales the objectives of the Nature Recovery Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.</p> <p>The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The SoS may take account of any such net benefit in cases where it can be demonstrated.</p>	<p>With regard to biodiversity, the Applicant has committed to several mitigation/compensatory measures to enhance biodiversity. This includes the OLEMS (APP-284) that sets out a number of high quality design measures that will also deliver biodiversity enhancements. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) that outlines the commitment of the Project to adopting BNG. Outer Dowsing Offshore Wind is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities for BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 5.4.42 – 5.4.43	<p>As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.</p> <p>If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the SoS will give significant weight to any residual harm.</p>	<p>Areas of biodiversity and geological interest have been avoided as far as possible in the design of the Project through sensitive routing of the onshore and offshore Export Cable Corridor (ECC), siting of the OnSS and array areas and the location of the landfall zone. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The Applicant has undertaken careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</p> <p>Where features cannot be avoided, the Applicant has proposed suitable mitigation measures, as summarised in the response to NPS EN-1- 5.4.35 above, and where required compensation measures are proposed (as summarised in the response to NPS EN-1 5.4.33-5.4.3). Further details of onshore mitigation and compensation is provided in ES Chapter 21 Onshore Ecology (APP-076) and OLEMS (APP-284). Offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul>
	EN-1 5.4.44	<p>The SoS should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or BNG should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.</p>	<p>The draft DCO (APP-303), includes a requirement (DCO R12) for an ecological management plan (based on the outline landscape and ecological management strategy and reflecting survey results, and the ecological mitigation measures in the Environmental Statement) to be approved by the relevant planning authority in consultation with the relevant SNCB before works can commence for a particular stage of the onshore works. This requirement secures delivery of the principles set out in the OLEMS (APP-284), ES Chapter 21 Onshore Ecology (APP-076) And ES Chapter 22 Onshore Ornithology (APP-077). Confirmation of any maintenance and restoration details (such as timescales), will need to be approved within the final EMP.</p> <p>The draft DCO also includes a requirement (DCO R18) securing submission of a code of construction practice which accords with the Outline Code of Construction Practice (APP-268), and which sets out a number of environmental management plans that must be included in the code of construction practice, all for approval by the local planning authority in consultation with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO prior to commencement of works for a particular stage of the onshore works.</p>

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			Offshore mitigation is secured through the deemed marine licences (dMLs)), with approval required by the MMO prior to commencement.
	EN-1 5.4.45 – 5.4.47	<p>The SoS will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The SoS will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.</p> <p>Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The SoS should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p> <p>When considering proposals, the SoS should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering BNG as part of or in addition to the approach set out at Section 4.6.</p>	<p>Details of other licences can be found within the Other Consents and Licences document (APP-305). When the detailed design of the onshore works is being finalised, discussions of the final project details will be undertaken with Natural England. If necessary, clarification will be sought on the requirement for an EPS Licence and, if required, an application for a licence will be made.</p> <p>It is anticipated that an EPS Licence may be required for disturbance caused by piling activities. When the detailed design of the Project is being finalised, discussions of the final project details will be undertaken with the MMO. If necessary, clarification will be sought on the requirement for an EPS Licence and, if Required, an application for a licence will be made.</p> <p>The DCO contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (licence 1) and one for the offshore transmission assets (licence 2). The DCO also contains four deemed marine licences for the potential artificial nesting structures and one for benthic compensation measures if deemed necessary</p> <p>The Applicant has consulted extensively with the Natural England and MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard for these are outlined in Appendix 5.1.4 of the Consultation Report (Consultation Report Appendix 4B Section 42 Responses (APP-038)). The outcomes of the ETGs and EPP process has been recorded in EPP agreement logs submitted as part of Chapter 6 Technical Consultation (APP-061)</p>
	EN-1 5.4.48	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment	<p>The Applicant has assessed the likely significant effects of the Project on the conservation objectives through an ecological evaluation and impact assessment approach based on CIEEM Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland (CIEEM guidelines) (CIEEM, 2022), which are widely regarded as industry best practice.</p> <p>The relevant documents listed below conclude that with the implementation of appropriate mitigation measures (and other than the features identified as requiring an appropriate assessment under the RIAA - see response to NPS EN-1 5.4.26 – 5.4.28 for details ), no significant effects are predicted on internationally, nationally and locally designated sites of ecological conservation importance, protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 21: Onshore Ecology (APP-076);</li> <li>▪ Chapter 22: Onshore Ornithology (APP-077); and</li> <li>▪ Report to Inform Appropriate Assessment (APP-235);</li> </ul>
Secretary of State decision	EN-1 5.4.49	The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (an habitat Site), a	As outlined in the Applicant’s response to paragraph 5.4.25, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent 6.1.2) in order to inform the SoS when

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making -Habitat Regulations		protected marine site or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects.	<p>undertaking the HRA in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>Please see the Applicant's response to paragraph 4.2.9</p>
Secretary of State decision making- Sites of Special Scientific Interest (SSSI)	EN-1 5.4.50	The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	The Applicant has submitted a draft DCO (APP-303) which contains requirements considered necessary to secure the mitigation required to ensure the conservation and enhancement of any affected site's biodiversity.
Secretary of State decision making- Marine Conservation Zones	EN-1 5.4.51	The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	<p>In order to assist the SoS with their duty the Applicant has carried out a Marine Conservation Zone Assessment (APP-157) and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Secretary of State decision making- Regional and Local Sites	EN-1 5.4.52	The Secretary of State should give due consideration to such regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.	ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The onshore Order Limits have been designed to avoid designated sites. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.
Secretary of State decision making- Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN-1 5.4.53	The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.	<p>There are no ancient woodlands within the Order Limits, or within 2km of the Order Limits. There will therefore be no loss or deterioration of ancient woodlands as a result of the Project. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not.</p>

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			Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.
Secretary of State decision making- Protection and enhancement of habitats and other species	EN-1 5.4.54 – 5.4.55	<p>The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.</p> <p>The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.</p>	<p>As outlined within the ecology related chapters of the ES, all species and habitats that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p> <p>Where an adverse effect on a European Site has not been ruled out (Flamborough and Filey Coast SPA in relation to the kittiwake feature), a derogation case has been provided (APP-242), demonstrating IROPI.</p>
<b>EN-1 Part 5.5: Civil and Military Aviation and Defence Interests</b>			
Civil and Military Aviation and Defence Interests	EN-1 5.5.1 – 5.5.4	<p>All aerodromes, covering civil and military activities, as well as aviation technical sites, meteorological radars and other types of defence interests (both onshore and offshore) can be affected by new energy development.</p> <p>Collaboration and co-existence between aviation, defence and energy industry stakeholders should be strived for to ensure scenarios such that neither is unduly compromised.</p> <p>Alongside defence and other infrastructure, energy infrastructure, such as wind turbines, are an established part of the current and expected built energy environment. However, issues such as the cumulative impact, location and increasing geographical spread and height of windfarms, can all potentially have a bearing on aviation safety, defence capabilities and weather warnings and forecasts.</p> <p>Windfarms are an integral part of our plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p>	<p>To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation, defence and energy industry stakeholders including Ministry of Defence (MOD) and NATS.</p> <p>Consultation been conducted through the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process, informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-052).</p> <p>The Applicant has assessed the Project cumulatively with other projects.</p>
Aviation	EN-1 5.5.5- 5.5.7	UK airspace is important for both civilian and military aviation interests. It is essential that new energy infrastructure is developed collaboratively alongside aerodromes, aircraft, air systems and airspace so that safety, operations and capabilities are not	The Project has been developed collaboratively alongside aerodromes, aircraft, air systems and airspace stakeholders (see Chapter 16 Aviation, Radar, Military and Communication (APP-071).

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		<p>adversely affected by new energy infrastructure. Likewise, it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.</p> <p>Commercial civil aviation is largely confined to designated corridors of controlled airspace and set approaches to airports. However, other aircraft often fly outside of 'controlled air space'.</p> <p>The approaches and flight patterns to aerodromes can be irregular owing to a variety of factors including the performance characteristics of the aircraft concerned and the prevailing meteorological conditions. It may be possible to adapt flight patterns to work alongside new energy infrastructure without impacting on aviation safety.</p>	<p>Consultation was conducted through the EIA scoping process and the statutory pre-application consultation process, informed by the PEIR. An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>The airspace above and adjacent to the array is used for both civil and military aircraft and lies within the London Flight Information Region for Air Traffic Control.</p> <p>During the construction phase, the creation of an aviation obstacle environment and increased air traffic related to wind farm construction are both considered not to be significant. During the operation and maintenance phase the creation of an aviation obstacle environment and increased air traffic related to windfarm activities are deemed not significant. A major significant impact is identified concerning specific Primary Surveillance Radar (PSR) systems when there is no mitigation considered. However, mitigation solutions for the impact in specific PSR systems will be agreed with National Air Traffic Services (NATS) and the Ministry of Defence (MOD), and will reduce the impact to not significant.</p> <p>Throughout the decommissioning phase, the removal of the aviation obstacle environment is expected to result in no change, and increased air traffic related to decommissioning activities is considered not significant. The following mitigation measure is proposed, Aviation stakeholders will be made aware of the Project decommissioning via Notices to Airmen (NOTAMs) and obstacle details will be passed to the CAA at least eight weeks before decommissioning commences. No additional mitigation measures are identified, leading to an overall assessment of not significant impact during decommissioning.</p> <p>In summary, the assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p>
Safeguarding	EN-1 5.5.8 – 5.5.20	<p>Certain civil aerodromes, and aviation technical sites, selected on the basis of their importance to the national air transport system, are officially safeguarded in order to ensure that their safety and operation are not compromised by new development. A similar official safeguarding system applies to all military aerodromes, defence surveillance sites, and other defence assets.</p> <p>Areas of airspace around aerodromes used by aircraft, including taking off or on approach and landing are described as "Obstacle Limitation Surfaces" (OLS). All civil aerodromes licensed by the Civil Aviation Authority (CAA) and all military aerodromes must comply with the OLS. These are defined according to criteria set out in relevant CAA guidance for licensed civil aerodromes and according to MOD criteria, as set by the Military Aviation Authority, which is part of the Defence Safety Authority (DSA), for military aerodromes.</p> <p>Aerodromes that are officially safeguarded will have officially produced plans that show the OLS. Care must be taken to ensure that new developments do not infringe these protected OLS except where an aerodrome operator has considered the development and either determined there to be no adverse impact or agreed an acceptable</p>	<p>See responses to Paragraphs 5.5.1 – 5.5.4 and 5.5.5- 5.5.7 which shows the Applicant's approach to consultation which will ensure safeguarded sites will not be impacted as a result of the Project. To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation and defence stakeholders including Ministry of Defence (MOD) and the Civil Aviation Authority (CAA). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>There are a number of small airfields/air strips within relatively close proximity to the onshore ECC. However, none of the onshore activities proposed would result in any of the potential risks to aviation as presented in EN-1.</p> <p>See Table 16.1 in Chapter 16.</p>

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		<p>mitigation can be put in place, as these encompass the critical airspace within which key air traffic associated with the aerodrome operates.</p> <p>The CAA’s CAP sets out that all licensed aerodromes are required to ensure they have a system in place to safeguard their aerodrome against the growth of obstacles or activities that may present a hazard to aircraft operations.</p> <p>The certified Safeguarding maps for all aerodromes (both licensed and unlicensed) depicting the OLS and other criteria (for example to minimise “birdstrike” hazards) are deposited with the relevant LPAs.</p> <p>The CAA makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator.</p> <p>There are also “Public Safety Zones” (PSZs) at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Maps showing the PSZs are deposited with the relevant LPAs. DfT Circular 01/2010 provides advice to local planning authorities on Public Safety Zones.</p> <p>The military Low Flying system covers the whole of the UK and enables low flying activities as low as 75m (mean separation distance). A considerable amount of military flying for training purposes is conducted at as low as 30m in designated Tactical Training Areas (TTAs) in mid Wales, Cumbria, the Scottish Border region and in the Electronic Warfare Range in the Scottish Border area. In addition, military helicopters may operate down to ground level.</p> <p>New energy infrastructure may cause obstructions in MOD low flying areas. A balance must be struck between defence and energy needs in these areas.</p> <p>Sufficient air training space and space for civil operations will be required and operation around structures such as wind turbines will become increasingly important as the number of these structures increase.</p>	
Communications, navigation and surveillance (CNS) infrastructure	EN-1 5.5.21 – 5.5.28	<p>Safe and efficient operations within UK airspace and defence operations are dependent upon Communications, Navigation and Surveillance (CNS) infrastructure, including radar (often referred to as ‘technical sites’).</p> <p>Energy infrastructure development may interfere with the operation of CNS systems such as radar. This is a particular problem for wind turbines as they can act as a reflector or diffractor of radio signals upon which Air Traffic Control Services and Air Defence Operations rely (an effect which is particularly likely to arise when large structures, such as wind turbines, are near Communications and Navigation Aids and technical sites).</p> <p>Wind turbines may also cause false returns and other technical issues when built in line of sight to radar installations.</p> <p>Windfarms are an integral part of the plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an official ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p> <p>Whilst it is hoped that future surveillance technologies will enable civil and military aviation, defence and meteorological surveillance providers and windfarms to meet coexistence challenges, it should not be assumed, however, that there will be sufficient advancement in surveillance technologies to meet all future requirements. A “system of systems” approach may help address the impacts on air surveillance and routine air</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Chapter 16 Aviation, Radar, Military and Communication (APP-071) confirms that the Project will result in no measurable effects upon other terrestrial based aviation CNS systems as the Project is considerably outside applicable safeguarding limits pertaining to such CNS infrastructure. NATS apply a 10km safeguarded zone around route navigation aids, and the Array area is 54km from the nearest coastline. Therefore, terrestrial CNS infrastructure (other than PSR) is not considered in detail within Chapter 16, as no sites will be affected.</p> <p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly accelerate the decarbonisation of the power sector by 2030. Substantial weight should therefore be ascribed to the balance of considerations and the presumption in favor of such developments should apply.</p>

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		<p>traffic control operations for those windfarms that exist when radar or other surveillance systems are procured, however this can add complexity to aviation safety assurance and operating practices.</p> <p>Surveillance methods that rely on cooperation alone, such as Automatic Dependent Surveillance – Broadcast (ADS-B) or Secondary Surveillance Radar transponders, are not sufficient to meet the UK’s security and national defence requirements nor would they assure the flight safety of air traffic from non-cooperative threats.</p> <p>MOD recognises that the environmental Baseline includes existing windfarms and any mitigation solutions that have been established to support them when procuring future radar systems.</p> <p>As existing CNS infrastructure reaches the end of its operational life, replacement options that are more tolerant of wind turbines, if available, should be installed by CNS owners/operators to futureproof, so far as is practicable, aerodromes against possible future turbine installations in order to maintain or enhance aviation safety. This should be considered on a case-by-case basis, so that the correct solution(s) are identified which strike the balance between surveillance quality/needs and reasonableness of costs being achieved, whilst maintaining safety.</p> <p>Applicants should provide relevant information on proposed developments to enable CNS owners/operators to consider upgrades appropriately.</p>	
Weather warnings and forecasts	EN-1 5.5.29 -5.5.32	<p>The UK weather radar network is composed of 15 weather radars that are operated and maintained by the Met Office. Each radar provides data out to 255km that underpin the Public Weather Service and the provision of critical meteorological information to a range of stakeholders including aviation, defence, civil contingencies, and the wider UK population, and in the case of severe weather, through the National Severe Weather Warning Service (NSWWS).</p> <p>Weather radars are currently the only means of detecting the presence and location of precipitation in real time. The main hazard from precipitation is flooding and assessment of the potential flood impacts are carried out in consultation with the UK’s authoritative flood agencies.</p> <p>Some energy structures, such as wind turbines, have the potential to adversely impact weather radar signals, even beyond 100km from the radar. This can lead to downstream impacts in meteorological and hydrological warning systems that use radar data, which in turn decreases the credibility of warning systems. For example, when the size of the affected area exceeds the typical size of storms, warning systems may miss the initial stages of a significant rainfall event, which can cause delays in issuing warnings.</p> <p>The Met Office protects its weather radars by engaging in the formal planning consultation process. Met Office weather radars are officially safeguarded and as per Secretary of State direction will be consulted directly on all relevant applicable planning applications within safeguarded zones by local planning authorities.</p>	The closest Met Office weather radar to the Array area is located at Ingham in Lincolnshire, 106km to the west. At a minimum range of 106km, WTGs within the array area will be significantly beyond the 20km safeguarded zone established around Ingham weather radar, and therefore unlikely to have a significant impact. As such, the potential impacts to this receptor have been scoped out of the assessment.

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Other defence interests	EN-1 5.5.33 – 5.5.36	<p>The MOD operates military training areas, military danger zones (offshore Danger and Exercise areas), military explosives storage areas and TTAs. There are extensive Danger and Exercise Areas across the UKCS for military firing and highly surveyed routes to support government shipping that are essential for national defence. In addition, the MOD retains defence maritime navigational capabilities throughout the UKCS to maintain national defence.</p> <p>Other operational defence assets may be affected by new development, for example non-aviation technical equipment such as: the Seismological Monitoring Station at Eskdalemuir; maritime acoustic facilities; communications installations including satellite ground stations; and range control radars.</p> <p>It is important that new energy infrastructure does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p> <p>The Joint industry and government Air Defence and Offshore Wind Mitigation Task Force was set up to enable the co-existence of UK Air Defence and offshore wind. The Strategy and Implementation Plan sets the direction for that collaboration. The recommendations generated from this Task Force should be referred to by both defence and energy stakeholders.</p>	<p>The Project does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p>
Applicant Assessment	EN-1 5.5.37 – 5.5.40	<p>Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).</p> <p>The requirement for Air Traffic Control (ATC) and non-cooperative surveillance – i.e. radar/tracking technologies - forms part of the environmental Baseline for proposed developments.</p> <p>The Applicant should consult the MOD, Met Office, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.</p> <p>Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Potential effects are assessed in ES Chapter 16 Aviation, Radar, Military and Communication (APP-071) and consultation undertaken with relevant civil and military aviation stakeholders is detailed. Effects on civil and military aviation during the Project phases are assessed alongside cumulative impacts.</p> <p>For civil and military radar, relevant stakeholders, including the MoD, CAA, and NATS, have been invited to meetings as a forum to discuss the potential effects on aviation and radar in the area. Consultation with relevant stakeholders was ongoing throughout the pre-application process, allowing for consultation on the potential impacts arising from the Project. This is discussed in more detail within ES Volume 1, Chapter 16: Aviation, Radar, and Military and Communication (APP-071).</p>
	EN-1 5.5.41	<p>In addition, consideration of developments near aerodromes should take into account the following factors:</p> <ul style="list-style-type: none"> <li>▪ Bird Strike Risk - Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings, and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary).E</li> </ul>	<p>There are a number of small airfields/air strips within relatively close proximity to the ECC. However, none of the activities proposed would result in any of the potential risks to aviation as presented in EN-1. The closest radar-equipped airfields to the array area are Humberside Airport, 90km to the west, and Norwich Airport, 90km south of the array area. Effects on civil and military aviation during the Project phases are assessed including aerodromes in Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071) and are not significant under EIA Regulations.</p>

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		<ul style="list-style-type: none"> <li>Building Induced Turbulence - If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure.</li> </ul> <p>Thermal Plume Turbulence - This is caused under certain conditions by the release of hot air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft.</p>	
	EN-1 5.5.42	If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the Applicant to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible.	The Applicant volunteered for the Project to be part of the NSIP Reform Early Adopter Programme which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions. set out in each of the NPSs. As such, the Applicant has ensured throughout the pre-examination process and will continue to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible of any changes.
Mitigation	EN-1 5.5.43- 5.5.44	<p>The Applicant should include appropriate mitigation measures as an integral part of the proposed development.</p> <p>Mitigation for infringement of OLS may include:</p> <ul style="list-style-type: none"> <li>agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome against pre-COVID-19 levels); or</li> </ul> <p>installation of obstacle lighting and/or by notification in Aeronautical Information Service publications</p>	<p>A range of embedded mitigation measures, including adhering to all relevant CAA safety guidance, the creation of an Emergency Response Co-Cooperation Plan (ERCoP), notification to aviation stakeholders, lighting and marking to minimise effects to aviation flight would apply to the Project, as described within Section 16.5 and Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071). The detail of above mitigation measures will also be agreed in consultation with appropriate stakeholders. Aviation stakeholders will be made aware of the Project via NOTAMs and obstacle details will be passed to the CAA at least eight weeks before construction commences. CAA will forward the information to MOD DGC and NATS AIS for inclusion in the AIP and on relevant civil and military aeronautical charts. Marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p> <p>The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are being discussed with NATS and MOD.</p>
	EN-1 5.5.45	<p>For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include:</p> <ul style="list-style-type: none"> <li>operational airspace changes</li> <li>agreement to upgrade CNS infrastructure, the cost of which the Applicant will be required to fund until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the Applicant will be required fund any future upgrade for the lifetime of the wind farm. MOD will engage early with developers to ensure the costs are reflective of their need and impacts of the energy installation on the monitoring equipment.</li> </ul> <p>introducing commercially viable radar mitigation technology to the development, e.g. by using non-radar reflecting materials to manufacture wind turbine blades.</p>	
	EN-1 5.5.46 – 5.5.48	Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way of a reduction or alteration in the scale of development. There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in	

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		<p>proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity.</p> <p>Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.</p>	
Secretary of State decision making	EN-1 5.5.49 – 5.5.50	<p>The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets have been addressed by The Applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.</p> <p>In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar / tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.51	<p>When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.</p>	<p>There are no operational changes proposed to aerodromes and therefore this does not need to be considered.</p>
	EN-1 5.5.52 – 5.5.53	<p>In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised.</p> <p>If there are conflicts between the government’s energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK’s energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.</p>	<p>Refer to comment for paragraphs 5.5.29 -5.5.32; the Project will not have significant impacts on UK weather radar as outlined within Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.54	<p>There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.</p>	<p>The Air Navigation Order 2016/765 (CAA, 2022) implements the UK’s obligations under the convention on international civil aviation and regulates aspects of aviation safety.</p> <p>The Applicant will comply with statutory requirements as secured in the draft DCO. The Applicant is committed to making and lighting the Project in accordance with relevant industry guidance and as advised by relevant stakeholders including the MCA, CCA and Trinity House.</p>
	EN-1 5.5.55 – 5.5.56	<p>Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.</p>	<p>Refer to comment for Paragraph 5.5.54.</p>

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		Where new technologies to mitigate the adverse effects of wind farms on surveillance systems, such as radar, are concerned, the Secretary of State should have regard to any Civil Aviation Authority Guidelines and/or government guidance which emerges from the joint government/Industry Aviation Management Board and the Joint Air Defence and Offshore Wind Task Force.	
	EN-1 – 5.5.57 – 5.5.58	Where suitable technological solutions have not yet been developed or proven, the Secretary of State will need to consider the likelihood of a solution becoming available within the time limit for implementation of the Development Consent Order.  Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of ‘Grampian conditions’, or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment.	The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar systems, for which mitigation solutions are being discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
	EN-1 5.5.59	Where, after reasonable mitigation, operational changes, obligations, and requirements have been proposed, the Secretary of State should consider whether: <ul style="list-style-type: none"> <li>▪ a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs;</li> <li>▪ it would cause harm to aerodromes’ training or emergency service needs;</li> <li>▪ the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training;</li> <li>▪ the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure.</li> </ul> the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UKs flood agencies	The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.  Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).
	EN-1 5.5.60	Provided that the Secretary of State is satisfied that the impacts of proposed energy developments do not present risks to national security and physical safety, and where they, provided that the Secretary of State is satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to any Development Consent Order to secure those mitigations, consent may be granted.	Marking and lighting requirements are discussed in Chapter 16 Aviation, Radar, Military and Communication (APP-071) in accordance with ANO Article 223, lighting intensity will be reduced at and below the horizontal and further reduced when visibility in all directions from every WTG is more than 5km.  The generation and transmission deemed marine licences include a condition (Condition 10 Aviation safety) requiring the undertaker to notify the Defence Infrastructure Organisation Safeguarding regarding the construction of the scheme and its parameters. This is a standard condition and follows the wording of the same condition in other consented schemes.
<b>EN-1 Part 5.6: Coastal change</b>			
Coastal Change	EN-1 5.6.1 – 5.6.3	The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The government’s aim is to ensure that our coastal communities continue to prosper and adapt to coastal change. This means planning should:	A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003). The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ ensure that policies and decisions in coastal areas are based on an understanding of coastal change over time</li> <li>▪ prevent new development from being put at risk from coastal change by: <ul style="list-style-type: none"> <li>▪ avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast</li> <li>▪ directing development away from areas vulnerable to coastal change</li> </ul> </li> <li>▪ ensure that the risk to development which is, exceptionally, necessary in coastal change areas because it requires a coastal location and provides substantial economic and social benefits to communities, is managed over its planned lifetime</li> <li>▪ ensure that plans are in place to secure the long-term sustainability of coastal areas</li> </ul> <p>For the purpose of this section, coastal change means physical change to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.</p>	<p>associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p>
	EN-1 5.6.4 – 5.6.9	<p>Where Onshore infrastructure projects are proposed on the coast, coastal change is a key consideration as well as a vital element of climate change adaptation (see Section 4.10).</p> <p>Some kinds of coastal change happen very gradually, others over shorter timescales. Some are the result of purely natural processes others, including potentially significant modifications of the coastline or coastal environment resulting from climate change, are wholly or partly man-made. This section concerns both the impacts which energy infrastructure can have as a driver of coastal change, and how to ensure that developments are resilient to ongoing and potential future coastal change.</p> <p>The construction of an onshore energy project on the coast may involve, for example, dredging, dredge spoil deposition, cooling water, culvert construction, marine landing facility construction and flood and coastal protection measures which could result indirect effects on the coastline, seabed and marine ecology and biodiversity. Additionally, indirect changes to the coastline and seabed might arise as a result of a hydrodynamic response to some of these direct changes. This could lead to localised or more widespread coastal erosion or accretion and changes to offshore features such as submerged banks and ridges, marine biodiversity and heritage assets.</p> <p>This section only applies to onshore energy infrastructure projects situated on the coast. The impacts of offshore renewable energy projects on marine life and coastal geomorphology are considered in EN-3.</p> <p>Section 5.4 on biodiversity and geological conservation, Section 5.8 on flood risk and Section 4.10 on adaptation to climate change, including the increased risk of coastal erosion, are also relevant, as is advice on access to coastal recreation sites and features in Section 5.11 on land use. Advice on the historic environment in Section 5.9 may also be relevant.</p>	<p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p> <p>The effects of the Project on marine ecology, biodiversity and protected sites are considered elsewhere in the ES within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11: Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067); and</li> <li>▪ RIAA (APP-235).</li> </ul> <p>The effects of the Project on maintaining coastal recreation sites and features are set out in Chapter 18 Marine Infrastructure and Other Users (APP-073).</p>
Applicant Assessment	EN-1 5.6.10	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	An assessment of the potential impacts and predictions of the Project on Marine Physical Processes using the evidence base, project specific Baseline characterisation and project specific numerical modelling is provided in Chapter 7 Marine Physical Processes (APP-062).
	EN-1 5.6.11	The ES (see Section 4.3) should include an assessment of the effects on the coast, tidal rivers, and estuaries. In particular, applicants should assess:	The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) for the construction, O&M and decommissioning phases. The

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes The Applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast</li> <li>▪ the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area)), any relevant Marine Plans, River Basin Management Plans(RBMP), and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas</li> <li>▪ the effects of the proposed project on marine ecology, biodiversity, protected sites, and heritage assets</li> <li>▪ how coastal change could affect flood risk management infrastructure, drainage, and flood risk</li> <li>▪ the effects of the proposed project on maintaining coastal recreation sites and features.</li> </ul> <p>the vulnerability of the proposed development to coastal change, taking account of climate change, during the Project’s operational life and any decommissioning period</p>	<p>impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of this chapter.</p> <p>Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). This will mitigate the impact of cable protection upon beach morphology and littoral sediment transport. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003).</p> <p>The vulnerability of the Project to coastal change is considered in the context of Landfall infrastructure in Chapter 7 Marine Physical Processes (APP-062). As noted in the response to NPS EN-1 5.6.4 – 5.6.9, The presence of annual beach nourishment means that the choice of location for the onshore HDD works and jointing bay is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change, for as long as the ‘hold the line’ strategy is in place.</p>
	EN-1 5.6.12	<p>For any projects involving dredging or deposit of any substance or object into the sea, The Applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with LNG tanker deliveries to LNG import facilities.</p>	<p>Consultation has been undertaken through the scoping process and further consultation related to impacts from dredging and deposit is detailed in Chapter 7 Marine Physical Processes (APP-062), Chapter 8: Marine Water and Sediment Quality (APP-063), Chapter 9 Benthic and Intertidal Ecology (APP-064) and Chapter 10 Fish and Shellfish Ecology (APP-065).</p> <p>The Applicant has consulted with the MMO and Historic England as to the need for dredge and disposal works, and an associated disposal site, for offshore works, and provided a Site Characteristics Report which provides the regulator with adequate information to designate a disposal site for the construction phase.</p>
	EN-1 5.6.13	<p>The Applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of MPAs. These could include MCZs, habitat sites including SAC and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identify any effects on the special character of Heritage Coasts.</p>	<p>The locations of designated sites are shown in Figure 7.9 in Chapter 7 Marine Physical Processes Figures (APP-093 to APP-094) with potential impacts considered in Section 7.12 of Chapter 7 Marine Physical Processes (APP-062).</p> <p>A list of designated sites within the Marine Physical Processes ZoI, with detail of the relevant protected features, is provided below:</p> <ul style="list-style-type: none"> <li>▪ North Norfolk Sandbanks and Saturn Reef SAC</li> <li>▪ Inner Dowsing, Race Bank and North Ridge SAC</li> <li>▪ Chapel Point – Wolla Bank SSSI</li> </ul> <p>A standalone RIAA (APP-235) and a MCZ Assessment (APP-157), has been produced detailing all matters associated with statutory designations.</p> <p>The MCZ Assessment (APP-157) has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in Chapter 9 Benthic and Intertidal Ecology (APP-064) and the RIAA (APP-235).</p>
	EN-1 5.6.14	Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.	<p>In line with paragraphs 4.3.1 to 4.3.9 of this NPS, An ES (APP-051) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022). The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects.</p> <p>ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>The ES includes Chapter 7 Marine Physical Processes (APP-062) which provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change. Section 7.5 of the Chapter sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment. The chapter highlights that the preferred Environment Agency management strategy in place along this part of the coast from 2025 to 2055 is to maintain flood defences in their current position and to raise and improve them to counter sea level rise as required.</p> <p>Section 7.9 of the chapter specifically provides the relevant mitigation measures that were identified and adopted as part of the evolution of the Project’s design (embedded into the project design) and that are relevant to physical processes.</p> <p>As such it is considered that the Project is in accordance with paragraph 5.6.14 of EN-1.</p>
Mitigation	EN-1 5.6.15	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change, which is considered in Chapter 31 Climate Change (APP-085).</p> <p>Section 7.9 of Chapter 7 Marine Physical Processes (APP-062) sets out mitigation that were identified and adopted as part of the evolution of the project design (embedded into the project design) and that are relevant to physical processes (listed in Table 7.4).</p> <p>The Project has committed to a range of mitigation measures to reduce impacts, such as installing landfall cables within cable ducts installed using HDD technology. The Project will undertake a detailed Cable Burial Risk Assessment as part of its Cable Specification and Installation Plan which will be agreed with the MMO prior to construction</p>
Secretary of State decision making	EN-1 5.6.16	The Secretary of State should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the Project's operational life and any decommissioning period. Proposals which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure.	<p>Full account has been taken of this policy in the ES accompanying the Project application (APP-055). Potential changes in climate are described in Chapter 31 Climate Change (APP-086) and are considered alongside predicted impacts.</p> <p>The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location and sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.16 of EN-1.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.6.17	The Secretary of State should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>As noted in the response to NPS EN-1 5.6.16 above, the proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change. In addition, the assessment of impacts associated with modifications to littoral transport and coastal behaviour concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p>
	EN-1 5.6.18	The Secretary of State should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>The Applicant has committed to provision of Construction Method Statements and a Cable Specification and Installation Plan within the Marine Licence Principles document (Document no. 9.12) which will capture the proposed approach to installation. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Pre construction and Post construction monitoring were both proposed conditions within the deemed marine licence and will require approval by the MMO.</p>
	EN-1 5.6.19	The Secretary of State should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e., coast on site, and site on coast.	<p>The Baseline receiving environment, and the predicted impact of the proposed project on coastal processes (including coastal protection) and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) and ES Chapter 7 Appendix 1 Physical Processes Technical Baseline (AS-003). The assessment considers the nature of ongoing shoreline change at the landfall and the potential for cables and other project infrastructure to impact coastal processes</p> <p>As noted in the response to NPS EN-1 5.6.1 – 5.6.3, historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The chapter concludes that there will be no significant effect as a result of the Project.</p>
	EN-1 5.6.20	The Secretary of State should consult the MMO on projects which could impact on coastal change in England, or NRW for projects in Wales, since the MMO or NRW may also be involved in considering other projects which may have related coastal impacts.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul> <p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p>
	EN-1 5.6.21 – 5.6.22	<p>In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents, in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.</p> <p>The Secretary of State should also have regard to any relevant Shoreline Management Plans.</p>	<p>The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and MPS policy tests of relevance to the consideration of marine physical processes. Table 7.1 specifically provides reference to the relevant SMP (Environment Agency (2019a), 'Saltfleet to Gibraltar Point Strategy'), which has been considered within the assessment.</p>
	EN-1 5.6.23	<p>Substantial weight should be attached to the risks of flooding and coastal erosion and the Secretary of State should be satisfied that The Applicant has taken full account of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.</p>	<p>Potential changes in climate and erosion are described in Appendix 7.1 Physical Processes Technical Baseline (AS-003) and are considered alongside predicted changes identified in the assessment for each stage of the development in Chapter 7 Marine Physical Processes (APP-062).</p> <p>This includes potential impacts on coastal behaviour at the landfall site.</p> <p>The assessment concludes that the effect on the coast at the Project landfall is not significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.23 of EN-1.</p>
<b>EN-1 Part 5.7: Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation</b>			
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation	EN-1 5.7.1	<p>During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. However, they are not regulated by the environmental permitting regime, so mitigation of these impacts will need to be included in the Development Consent Order.</p>	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074).</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Applicant has provided a Statutory Nuisance Statement (APP-301) which draws upon the ES to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297).</p> <p>The Project has also identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas that could suffer from nuisance are located away from the Project's infrastructure elements (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Throughout the ES, the Project proposes several mitigation measures to limit nuisance. For example, the Outline Code of Construction Practice (APP-268), and associated environmental management plans, will ensure that the Project complies with best practice measures and standard protocol to limit impacts from dust and artificial lighting.
	EN-1 5.7.3	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the applicant and Secretary of State.	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074). The assessment of dust emissions considers the following works: demolition, earthwork, construction and track out. Further details of the dust assessment can be found within Volume 3, Annex 19.1: Construction Phase Dust Assessment Methodology (APP-176). With the use of effective mitigation measures, as outlined in Annex 19.1 (APP-176) residual effects are considered to be not significant in terms of the EIA Regulations.</p> <p>With the use of effective mitigation measures, as outlined in Outline Air Quality Management Plan (APP-270), including general works measures, earthworks, trackout and maintenance and monitoring of the site residual effects are considered to be not significant in terms of the EIA regulations.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting during the hours of darkness; no significant impacts will arise from the Project with appropriate mitigation measures put in place (as set out ion the Outline Code of Construction Practice (APP-268)).</p>
	EN-1 5.7.4	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	<p>The Project has assessed the potential impacts on amenity within Chapter 29 Socio-Economic Characteristics (APP-084) and Chapter 25 Land Use (APP-080).</p> <p>Several long-distance and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however none will be closed temporarily without offering a diversion or alternative route as detailed in the Outline Public Access Management Plan (PAMP) (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p>
Applicant assessment	EN-1 5.7.5	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.	<p>The Project would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>
	EN-1 5.7.6	<p>In particular, the assessment provided by the Applicant should describe:</p> <ul style="list-style-type: none"> <li>▪ the type, quantity, and timing of emissions</li> <li>▪ aspects of the development which may give rise to emissions;</li> <li>▪ premises or locations that may be affected by the emissions;</li> <li>▪ effects of the emission on identified premises or locations;</li> </ul> <p>measures to be employed in preventing or mitigating the emissions</p>	<p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted in consideration of the different onshore activities and phases of the development with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>

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	EN-1 5.7.7	The Applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	<p>The Applicant has undertaken consultation with the relevant local planning authority regarding the air quality assessment.</p> <p>Section 19.5 of Chapter 19 Onshore Air Quality (APP-074) outlines the scope of the air quality assessment, which has been informed by both national and local planning policy and guidance, which establish best practice and experience, as well as via the consultation process with relevant consultees. This is alongside advice provided within the Scoping Opinion from The Planning Inspectorate (The Planning Inspectorate, 2022).</p> <p>The air quality assessment and assessment of the effects of visual amenity from the use of artificial lighting during the hours of darkness were included within the Preliminary Environmental Information Report (PEIR), that was published in June 2023 as part of Statutory Consultation on the Project. Feedback from local planning authorities has been incorporated within the submitted ES chapters.</p>
Mitigation	EN-1 5.7.8	<p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated</li> <li>▪ lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material</li> </ul> <p>administrative: limiting operating times; restricting activities allowed on the site; implementing management plans</p>	The Applicant has committed to provision of Construction Method Statements alongside the CoCP and associated environmental management plans (including an Air Quality Management Plan, Pollution Prevention and Emergency Incident Response Plan), that capture the applicable requirements of Paragraph 5.7.8. The Applicant has also submitted information limiting operating times, restricting activities allowed on the site and implementing management plans within the Outline Code of Construction Practice (APP-268).
	EN-1 5.7.9	Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.	<p>An Outline Code of Construction Practice (CoCP) (APP-268) is part of a suite of documents that support the DCO application submitted by the Applicant. The Outline CoCP sets out the general principles and management measures to be adopted during construction of the Onshore Infrastructure associated with the Project.</p> <p>A final CoCP will be produced and submitted to the relevant planning authority for approval prior to construction of the onshore infrastructure and will be in accordance with the principles established in the Outline CoCP. This is secured by Requirement 18 of the draft DCO (APP-303). The final CoCP will provide the mechanism to assure relevant regulatory authorities that environmental impacts associated with the construction of the Onshore Infrastructure will be controlled and mitigated.</p> <p>The majority of the detailed management measures to be captured in the CoCP are set out within the following respective outline environmental management plans</p> <ul style="list-style-type: none"> <li>▪ Outline Noise and Vibration Management Plan (APP-269)</li> <li>▪ Outline Air Quality Management Plan (APP-270)</li> <li>▪ Outline Soil Management Plan (APP-271)</li> <li>▪ Outline Pollution Prevention and Emergency Incident Response Plan (APP-272)</li> <li>▪ Outline Surface Water Drainage Strategy (APP-273)</li> <li>▪ Outline Site Waste Management Plan (APP-274)</li> </ul> <p>A Schedule of Mitigation (APP-287) is also provided with the DCO application, which provides a summary of the mitigation identified for the Project including embedded mitigation measures, which have been designed into the project</p>

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			For example, the Outline Air Quality Management Plan includes the proposal “Where feasible and commercially available, ensure equipment complies with the latest (Stage V) emission standards.”
	EN-1 5.7.10 – 5.7.11	Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. A construction management plan may help clarify and secure mitigation.	<p>The Applicant has committed to provision of Construction Method Statements. No explosive demolition is proposed as part of the construction of the development.</p> <p>If UXO are identified on the seabed following pre-construction surveys the Applicant will apply for a separate marine licence.</p> <p>In respect of the decommissioning of the Project, DCO Requirement 24 requires the undertaker to notify the relevant planning authority of the date of the permanent cessation of commercial operation of the onshore transmission works and provides that following the cessation, an onshore decommissioning plan in respect of the onshore transmission works must be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body. DCO Requirement requires an offshore decommissioning programme to be submitted to the Secretary of State prior to the commencement of offshore works.</p>
	EN-1 5.7.12	<p>The Secretary of State should satisfy itself that:</p> <ul style="list-style-type: none"> <li>an assessment of the potential for artificial light, dust, odour, smoke, steam, and insect infestation to have a detrimental impact on amenity has been carried out;</li> </ul> <p>that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts</p>	Management strategies proposed are adequate to minimise any detrimental impacts and are adequately secured within the DCO to ensure impacts are minimized. The potential for impacts to occur as a result of dust or artificial lighting have been assessed within the EIA process and significant effects are not predicted to occur. Appropriate mitigation is proposed through the CoCP (Outline Code of Construction Practice (CoCP) (APP-268)) and associated environmental management plans. The Project is therefore in accordance with NPS EN-1 paragraph 5.7.12
	EN-1 5.7.13-5.7.14	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should, disapply in whole or in part the defence through a provision in the DCO. Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures.	<p>A Statutory Nuisance Statement (APP-301) details possible sources of any statutory nuisance and how this might be mitigated or limited, through embedded design or management measures.</p> <p>With appropriate measures in place (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans), it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation.</p> <p>Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p>
	EN-1 5.7.15	In particular, the Secretary of State should consider whether to require The Applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The	A Statutory Nuisance Statement (APP-301) details the possible sources of statutory nuisance and how this might be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise

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		Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	<p>potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the outline Code of Construction Practice (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans). Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p> <p>Some impact on amenity for local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum.</p>
<b>EN-1 Part 5.8: Flood Risk</b>			
Flood Risk	EN-1 5.8.1 – 5.8.3	<p>Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial disruption and damage to property.</p> <p>The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management.</p> <p>The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The industry should consider any updates to government policy and apply updated approaches as a matter of priority.</p>	<p>The potential hydrological receptors in the study area comprise the tidal and fluvial floodplain; various watercourses, including Main Rivers and ordinary watercourses or drains; groundwater; and the near-shore tidal waters of the North Sea. These receptors vary in their environmental sensitivity</p> <p>Chapter 24 Hydrology and Flood Risk (APP-079) concludes that through the implementation of mitigation measures, including those specified in the Outline Code of Construction Practice (APP-268), and a surface water drainage scheme for the OnSS to ensure the runoff rates to the surrounding water environment are managed at rates agreed with the relevant regulatory authority, it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p> <p>The assessment is informed by and supported by the information contained within the following flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul>
	EN-1 5.8.5 – 5.8.6	<p>Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; The Applicant and the Secretary of State should take account of the policy on climate change adaptation in Section 4.10.</p> <p>The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>Flood risk has also been considered for the life of the development (from the construction-decommissioning stages in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</p>

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	EN-1 5.8.7 – 5.8.8	<p>Where new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood.</p> <p>Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are or will be at unacceptable risk of flooding, should be supported where it would result in climate-resilient infrastructure.</p>	<p>Flood risk has been a guiding influence on the siting of the onshore infrastructure and the Applicant has undertaken sequential testing as discussed in sections 8.3 (OnSS) and 9.2(Onshore ECC) of ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The sequential test and exceptions Tests are included in the Flood Risk Assessments submitted alongside ES Chapter 24 Hydrology and Flood Risk (APP-079) as contained in Appendices 24.2 Flood Risk Assessment (Onshore ECC and 400kV cable corridor and 24.3 Flood Risk Assessment (OnSS) (APP-211 and APP-212 respectively).</p> <p>Whilst this is not possible for the entirety of the Project, the FRAs (see APP-211 and APP-212) demonstrate that, as a result of the proposed mitigation, the Project will not result in significant effects with respect to flood risk.</p>
	EN-1 5.8.9 – 5.8.11	<p>If, following application of the Sequential Test, it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied as defined in <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2">https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2</a>. The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.</p> <p>The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example AONBs, SSSIs and World Heritage Sites (WHS) which would not usually be considered appropriate.</p> <p>Both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that:</p> <ul style="list-style-type: none"> <li>▪ the project would provide wider sustainability benefits to the community that outweigh flood risk; and</li> </ul> <p>the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.</p>	<p>ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines that flood risk has been a guiding influence on the siting of the OnSS (see Sections 8.3 and 9.2 for discussion on the OnSS and Onshore ECC respectively within the chapter.)</p> <p>Flood Risk reporting has been undertaken within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>Sections of the OnSS and ECC are located within flood zones 2 and 3. Therefore, in line with statutory guidance the sequential and exception tests have been applied within the above FRAs, which both conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <p>With regard to the OnSS, the area within the vicinity of the connection point is characterised by Flood Zone 3, with only a small number of pocket areas which are designated as Flood Zone 1 and 2. There were no sites large enough of flood zone 1 and 2 to accommodate the OnSS in its entirety. Each of the pocket areas were reviewed, and in comparison to the adopted site, were either considered to have a higher flood risk due to their proximity to the River Welland (and therefore at higher flood risk in a breach scenario). ; or, were unable to accommodate the OnSS due to size constraints. The Applicant, while not able to wholly apportion their site on flood risk zone 1 or 2, continued to consider the small pockets of lower flood risk while also consulting supporting data and materials to aid in a site definition with the best possible flood resilience and did identify a suitable site partially in flood zone 2</p>
	EN-1 5.8.12	<p>Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques</p>	<p>With regard to the onshore ECC, given the extent of flood zone 3 between the landfall and connection point, locating the onshore ECC outside of this flood zone would require a significant diversion (with an approximate 20km of additional cable) which would not be technically deliverable.</p> <p>The Project is an NSIP for renewable energy generation and so demonstrates wider sustainability benefits to the community that outweigh flood risk. As such it is considered that the first part of the Exception Test is passed.</p> <p>The flood risk modelling (as set out in the FRAs) has shown that during the operational phase of the onshore ECC, the Project will not be at risk of flooding, and will not increase flood risk elsewhere. The onshore ECC will only be at potential risk of flooding during the construction phase, which could lead to a temporary increase in flood risk elsewhere during this phase. It is proposed that this is managed through</p>

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			<p>appropriate mitigation measures comprising a Flood Management and Response Plan and Surface Water Drainage Strategy for the construction phase which will be submitted as part of the final CoCP.</p> <p>Based on the outcomes of the modelling undertaken and the findings of this as presented in Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212, including the mitigation measures outlined in the FRA (including design elements and an evacuation, access and egress measures), it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.</p> <p>This is following the proposed mitigation which includes an Outline Surface Water Drainage Strategy (SWDS) (document APP-273) and an Outline Code of Construction Practice (document APP-268) which set out the principles and protocols to address potential drainage and flooding issues.</p> <p>As summarised above, with further detail provided within the respective FRAs it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, meeting the requirements of the Exception Test.</p>
Applicant Assessment	EN-1 5.8.13 – 5.8.14	<p>A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> <li>▪ sites of 1 hectare or more;</li> <li>▪ land which has been identified by the EA or NRW as having critical drainage problems;</li> <li>▪ land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future;</li> <li>▪ land that may be subject to other sources of flooding (for example surface water);</li> <li>▪ where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.</li> </ul> <p>This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	<p>The Applicant has submitted site specific flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul> <p>The FRAs identify the baseline context, the potential sources of flood, a detailed assessment of the flood risk and proposed mitigation demonstrating how flood risk has been managed. Section 24.1.5 of the Onshore ECC and 400kV cable corridor and section 24.4 of the Onshore Substation FRA set out how climate change has been taken into account.</p>
	EN-1 5.8.15	<p>The minimum requirements for Flood Risk Assessments (FRA are that they should:</p> <ul style="list-style-type: none"> <li>▪ be proportionate to the risk and appropriate to the scale, nature, and location of the project;</li> <li>▪ consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</li> <li>▪ take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made;</li> </ul>	<p>Flood Risk Assessment reporting has been undertaken in consultation with the EA and Local Authorities, compliant to NPS EN-1, paragraph 5.8.15, this is included in Chapter 24 Hydrology and Flood Risk (APP-079), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p> <p>The two FRAs consider the OnSS and onshore ECC separately and both assessment meets the minimum requirements for Flood Risk Assessments as outlined in Paragraph 5.8.15.</p> <p>Consultation regarding flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022), and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023).</p>

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		<ul style="list-style-type: none"> <li>▪ be undertaken by competent people, as early as possible in the process of preparing the proposal;</li> <li>▪ consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance;</li> <li>▪ consider the vulnerability of those using the site, including arrangements for safe access and escape;</li> <li>▪ consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;</li> <li>▪ consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;</li> <li>▪ include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding;</li> <li>▪ consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the Project may affect drainage systems. Information should include: <ul style="list-style-type: none"> <li>i. Describe the existing surface water drainage arrangements for the site;</li> <li>ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates;</li> <li>iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate;</li> <li>iv. Demonstrate how the hierarchy of drainage options has been followed.</li> <li>v. Explain and justify why the types of SuDs and method of discharge have been selected and why they are considered appropriate.</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site</li> <li>vii. Describe the multifunctional benefits the sustainable drainage system will provide;</li> <li>viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system;</li> <li>ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere;</li> <li>x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development. <ul style="list-style-type: none"> <li>▪ detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and</li> </ul> </li> </ul> <p>be supported by appropriate data and information, including historical information on previous events.</p>	
	EN-1 5.8.16	Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	Chapter 24 Hydrology and Flood Risk (APP-079) considers relevant policy alongside the NPPF , along with guidance contained within PPG
	EN-1 5.8.17	<p>Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure:</p> <ul style="list-style-type: none"> <li>▪ Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary</li> <li>▪ Their standard of protection is not reduced</li> </ul> <p>Their condition or structural integrity is not reduced</p>	As stated in Chapter 24 Hydrology and Flood Risk (APP-079), the requirements within Paragraph 5.8.17 of EN-1 have been accounted for via the Project's design including the routing of the Onshore ECC and design of key crossing points (flood defence structures, Main Rivers, non-main and ordinary watercourses, IDB watercourses, roads, utilities, etc.), including the use of Trenchless techniques to avoid key areas of sensitivity.
	EN-1 5.8.18 – 5.8.20	<p>Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.</p> <p>Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed.</p> <p>If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, The Applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal</p>	<p>Consultation regarding hydrology, hydrogeology and flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Chapter 6 Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>The Environment Agency has been the main consultee in relation to the flood resilience requirements for the OnSS and the modelling that was required in order to determine the maximum depth to be considered in the OnSS design. Consultation with Environment Agency was undertaken as part of the EPP, as set out in Chapter 24 Hydrology and Flood Risk (APP-079).</p>

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		might be amended, or additional information provided, which would satisfy the authority's concerns.	
	EN-1 5.8.21 5.8.23	<p>The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</p> <p>The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.</p> <p>Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site.</p>	<p>The response to NPS EN-1 5.8.9 – 5.8.11 summarises the approach to the sequential test that has been taken by the applicant with regard to the OnSS and onshore ECC. Full details of the sequential test are provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p>
Mitigation	EN-1 5.8.24 – 5.8.25	<p>To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.</p> <p>In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate:</p> <ul style="list-style-type: none"> <li>▪ source control measures including rainwater recycling and drainage;</li> <li>▪ infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;</li> <li>▪ filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</li> <li>▪ filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed;</li> <li>▪ basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding;</li> </ul> <p>flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.</p>	<p>The Project employs sustainable approaches to surface water drainage. This includes the design of the OnSS which incorporates a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the OnSS location and will not increase flood risk locally or in the wider area. For further detail relating to sustainable drainage during construction see the Outline Surface Water Drainage Strategy (APP-273). The final Surface Water Drainage Strategy will be developed according to the principles of the SuDS discharge hierarchy. Generally, the aim will be to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:</p> <ul style="list-style-type: none"> <li>▪ Into the ground (infiltration);</li> <li>▪ To a surface waterbody;</li> <li>▪ To a surface water sewer, highway drain or another drainage system; or</li> <li>▪ To a combined sewer.</li> </ul> <p>An Outline Operational Drainage Management Plan (APP-286), has also been provided for the OnSS which sets out high level principles for managing surface water on the OnSS in line with best practice and the requirements of Lincolnshire County Council as the Lead Local Flood Authority (LLFA). It is proposed that impermeable surfaces within the proposed OnSS development will drain surface water via gravity to a swale running along the northern, north-eastern and north-western perimeter of the Site. This swale will serve as the primary attenuation feature for the OnSS but will also act as a conveyance feature for surface water runoff draining to the receptor, Risegate Eau. Furthermore, the swale will also satisfy water quality requirements by treating and removing contaminants from runoff prior to discharge, while also encouraging percolation of runoff to the ground. Due to the build-up of the OnSS platform, as part of the potential design additional capacity for surface water attenuation could be provided within the platform. The proposed drainage strategy demonstrates there is sufficient space and capacity at the OnSS to provide an adequate drainage system to required discharge rates. The strategy presented in the Outline Operational Drainage Management Plan (APP-286) will be developed through the detailed design process and the final plan (which is secured by requirement 15 of the draft DCO (APP-303)) will be subject to relevant approvals and refinement before construction commences.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.8.26 – 5.8.29	<p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary, through the use of a planning obligation.</p> <p>The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.</p>	<p>Surface water management has been addressed during the construction phase within an Outline Surface Water Drainage Strategy (APP-273) provided as part of the Outline Code of Construction Practice (APP-268).</p> <p>Surface water management during the operational phase of the OnSS has been addressed within an Outline Operational Drainage Management Plan (APP-286). The Outline Operational Drainage Management Plan accounts for anticipated changes in peak rainfall intensity over the anticipated lifetime of development.</p> <p>The detailed (post consent) design of the surface water drainage scheme would be informed by a series of infiltration/soakaway tests carried out on site and the maximum potential attenuation volumes that are outlined in the Outline Surface Water Drainage Strategy (APP-273).</p> <p>The location of the OnSS and wider local area are underlain by bedrock geology comprising Oxford Clay Formation – Mudstone, and superficial deposits comprising Tidal Flat Deposits – Clay and Silt. Furthermore, due to the site's proximity to the tidal River Welland, the ground is likely to comprise a high water table, particularly during high tides. As such, discharge of surface water runoff from the OnSS to ground via infiltration is likely to be infeasible.</p> <p>The existing OnSS surface water runoff is understood to generally run in a south-easterly direction before spilling into an existing field drainage ditch. On the basis that the proposed OnSS will be situated close to Risegate Eau, and given that the local topography is essentially flat, the preferred method of drainage is to discharge at a restricted rate to Risegate Eau, which falls under the management of Welland &amp; Deepings IDB. The proposed drainage strategy will therefore need to demonstrate there is sufficient space and capacity on the OnSS to provide an adequate drainage system to required discharge rates. The Outline Operational Drainage Management Plan proposes the use of swales and underground attenuation in order to achieve the desired discharge rates.</p>
	EN-1 5.8.30 – 5.8.32	<p>Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided.</p> <p>Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site.</p> <p>Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.</p>	<p>ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212) reports that as part of the results analysis for the hydraulic modelling, and following discussions with the Environment Agency to determine their assessment requirements, a comparison of the flood hazard rating between the baseline existing conditions and post-development scenario has been made.</p> <p>The results demonstrate an increase in hazard rating across a number of small areas within the vicinity of the OnSS relating to a small number of properties. At all but one property the increase in peak flood depth is less than 20mm. Given how remote these increases are from the development, these are considered more likely to represent acceptable anomalies within the hydraulic modelling, rather than actual changes that would occur in the event of a breach scenario.</p> <p>Even if the above increases were considered as actual effects of the development, and not anomalies in the model, it is important to note that this risk would still be residual. The assessment has been based on a more onerous 0.1% Annual Exceedance Probability (AEP) plus climate change flood event in conjunction with a breach of the flood defences occurring. Given that the flood defences are inspected and maintained, the eventuality of this scenario occurring is small and it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. As such, the impact on flood risk is not predicted to be significant in EIA terms.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.8.33	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding.	The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO. This would include a procedure for securing sensitive equipment and/or relocating materials stored in bulk.
	EN-1 5.8.34	The Applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	The FRAs for the OnSS and onshore ECC (APP-211 and APP-212) have been undertaken in consultation with the Environment Agency and local authorities which includes consideration of emergency planning documents, flood warning and evacuation procedures. The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO.
	EN-1 5.8.35	Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.	Table 24.19 of Chapter 24 Hydrology and Flood Risk (APP-079) provide an overview of proposed mitigation in relation to flood risk, which includes the use of water resilient and resistant materials. Regarding the onshore project infrastructure, cable entry and exit points within transition pits and cable junction bays will be sealed with an appropriate water proofing material to mitigate flood risk.
Secretary of State decision making	EN-1 5.8.36	<p>In determining an application for development consent, the Secretary of State should be satisfied that where relevant:</p> <ul style="list-style-type: none"> <li>▪ the application is supported by an appropriate FRA;</li> <li>▪ the Sequential Test has been applied and satisfied as part of site selection;</li> <li>▪ a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk;</li> <li>▪ the proposal is in line with any relevant national and local flood risk management strategy;</li> <li>▪ SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate;</li> <li>▪ in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42);</li> <li>▪ the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development;</li> </ul> <p>land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation, or maintenance.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>FRA reporting (APP-211 and APP-212) has been undertaken in consultation with the Environment Agency and local authorities which includes consideration and application of the sequential approach within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Based upon detail provided within the respective FRAs (Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).), it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p> <p>The OnSS design includes a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area, as detailed in the Outline Operational Drainage Management Plan (APP-286).</p> <p>The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent.</p> <p>Overall, through the implementation of mitigation measures, including those specified in the CoCP (APP-268), it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p>
	EN-1 5.8.37 – 5.8.39	For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any	As outlined in Chapter 24 Hydrology and Flood Risk (APP-079), the OnSS design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area.

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		<p>National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.</p> <p>In addition, the development consent order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted.</p> <p>Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.</p>	<p>The surface water drainage scheme is required to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates.</p> <p>The detailed (post-consent) design of the surface water drainage scheme would be informed by infiltration/soakaway tests carried out on site and the required attenuation volumes will be outlined in the supporting Flood Risk Assessment OnSS (APP-212).</p> <p>Further details with respect to drainage are contained within the Outline Operational Drainage Management Plan (APP-286) and the OCoCP (APP-268). The Outline ODMP for the OnSS has been prepared in accordance with guidance presented within the National Planning Policy Framework (NPPF)<sup>1</sup> and its associated Planning Practice Guidance (PPG)<sup>2</sup>, taking due account of current best practice documents relating to assessment of flood risk published by the British Standards Institution BS8533</p> <p>DCO Requirement 15 (Operational drainage management plan) prevents construction of the onshore HVAC substation from commencing until an operational drainage management plan in respect of works (which accords with the outline operational drainage management plan) has been submitted to and approved by the relevant planning authority, in consultation with the lead local flood authority (being Lincolnshire County Council) and the Environment Agency. The plan must include provision for the maintenance of any measures identified and must be implemented as approved</p>
	EN-1 5.8.40	<p>If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by The Applicant and the authority to try to resolve the concerns.</p>	<p>Chapter 24 Hydrology and Flood Risk (APP-079), the EA have been consulted and have provided a scoping response. The Project has drawn upon advice within the scoping response and sought to include any proposals within the scheme. At this current date, there are no concerns that have been raised by the EA that have not been addressed.</p> <p>The EA will be consulted by the relevant planning authority with regard to the consideration and approval of details to meet DCO Requirements 15 (Operational drainage management plan) and Requirement 18 (Code of construction practice), and so will be given the opportunity to review and comment on detailed design proposals for the management of surface water during construction and operation.</p>
	EN-1 5.8.41 – 5.8.42	<p>Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage and will not impede water flows.</p> <p>Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.</p>	<p>The response to 5.8.9 – 5.8.11 provides a summary of the consideration of sequential and exception test by the Applicant, with further information provided in</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059),</li> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>It can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 5.9: Historic environment			
Historic Environment	EN-1 5.9.1 – 5.9.4	<p>The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground.</p> <p>The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora.</p> <p>Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called ‘heritage assets’. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset’s physical presence, but also from its setting.</p> <p>Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are:</p> <ul style="list-style-type: none"> <li>▪ World Heritage Sites</li> <li>▪ Scheduled Monuments</li> <li>▪ Protected Wreck Sites</li> <li>▪ Protected Military Remains</li> <li>▪ Listed Buildings</li> <li>▪ Registered Parks and Gardens</li> <li>▪ Registered Battlefields</li> <li>▪ Conservation Areas</li> </ul> <p>Registered Historic Landscapes (Wales only).</p>	<p>ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) consider the designated heritage assets outlined in Paragraphs 5.9.1 – 5.9.4 of EN-1 and outline that the Project will not result in any adverse significant effects to heritage assets.</p> <p>A review of heritage assets has identified known and anticipated onshore archaeological remains within the Order Limits which may be susceptible to direct impacts. It has also identified built heritage receptors within the vicinity of the Order Limits which may be sensitive to setting change. The assessment of archaeological potential was aided by deposit modelling and field evaluation comprising a watching brief of site investigations and geophysical survey.</p> <p>The offshore assessment is informed by a desk-based review of the known marine archaeological and cultural heritages receptors and a geophysical assessment. All known and potential marine heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in ES Chapter 13 Appendix 1 Marine and Intertidal Archaeology Technical Report (APP-167).</p> <p>The onshore Archaeological DBA (APP-180 to APP-187) sets out an archaeological background to understand the archaeological sensitivity of the Order Limits. The DBA identifies potential heritage assets of an archaeological nature located within the Order Limits and describes their significance, in accordance with the requirement under National Planning Policy Framework (NPPF 2023). No designated archaeological remains would be physically affected by the Project.</p> <p>ES Chapter 20 Appendix 2 Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project’s Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 .</p>
	EN-1 5.9.5	<p>There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are:</p> <ul style="list-style-type: none"> <li>▪ those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate;</li> <li>▪ those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck Sites but are incapable of being designated by virtue of being outside the scope of the related legislation.</li> </ul> <p>those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites.</p>	<p>An Outline Onshore WSI (APP-283) and Outline Marine Archaeological WSI (APP-282) have been provided in support of the application. The requirements and conditions set out in the DCO and DMLs ensure the submission of onshore and offshore WSIs respectively which are to accord with the outline plans.</p> <p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	EN-1 5.9.6	Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments or Protected Wreck Sites should be considered subject to the policies for designated heritage assets. The absence of	Effects on designated and non-designated heritage assets are considered in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance.	The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.
	EN-1 5.9.7 – 5.9.8	The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets. Impacts on heritage assets specific to types of infrastructure are included in the technology specific NPSs.	No significant impacts to non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall.  In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts. On this basis there would be no residual significant effects to non-designated archaeological remains.  With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.
Applicant Assessment	EN-1 5.9.9	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 (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	Effects on designated and non-designated heritage assets have been considered within Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075). This includes assets above, at and below ground level. Consideration is given to the possible impacts, including cumulative, on the wider historic environment.  Onshore mitigation measures are set out in the OWSI for Archaeological Work (APP-283). These comprise the standard suite of archaeological mitigation works including set piece excavation, strip, map and sample, watching briefs and preservation in situ. Mitigation options will be deployed in response to the results of archaeological evaluation also set out within the OWSI.  Offshore mitigation measures are set out in the Outline Marine Archaeological WSI (APP-282) and include archaeological exclusion zones, micrositing and adherence to a protocol for archaeological discoveries.  ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), supported by the onshore DBA (APP-180 to APP-187) and the Heritage Statement (APP-188), provide a sufficient level of information to understand the likely significant heritage impacts. Assets above, at and below ground have been considered and impact to Historic Landscape Character has been assessed. Impacts are presented in section 20.7. of ES Chapter 20
	EN-1 5.9.10	As part of the ES the Applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the Applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	All known and unknown heritage assets in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Section 13.4 of Chapter 13 Marine and Intertidal Archaeology (APP-068). Potential offshore impacts on the Historic Environment of the Project is discussed in Section 13.9 and Section 13.13 of Chapter 13 Marine and Intertidal Archaeology (APP-068).  The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.  The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023)

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>Effects on designated and non-designated heritage assets have been considered in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p> <p>The assessment presented has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Both onshore and offshore assessments conclude there will not be any residual significant direct or indirect effects following the implementation of design measures at detailed design stage. Written Scheme of Investigations (WSIs), are proposed for both onshore and offshore elements and outline WSIs are provided within the submission documents.</p> <p>Consultation regarding Marine and Intertidal Archaeology and Onshore Archaeology and Cultural Heritage has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings; the Marine and Onshore Archaeology and Cultural Heritage ETG included Historic England, Maritime Archaeology, the MMO and Lincolnshire County Council. (LCC)</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Bilateral engagement with relevant stakeholders including Historic England and the LCC</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and,</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project consultation process is presented within the Consultation Report (APP-032)</p>
	<p>EN-1 5.9.11</p>	<p>Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, The Applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.</p>	<p>Marine archaeological and cultural heritage receptors and the archaeological potential within the marine archaeology s Study Area have been considered and assessed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167). This is informed by desk study and geophysical survey information.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Field based surveys and desk-based research have been undertaken to inform the assessment.</p> <p>The DBA references the results of field evaluation comprising a watching brief of Site Investigations, magnetometer geophysical survey and electromagnetic geophysical survey. This is in accordance with the NPPF (paragraph 194) and EN-1 (paragraph 5.9.11).</p> <p>It is noted that the targeted geophysical survey has included the footprint of the Transition Joint Bay, the only part of the Order Limits where significant impacts may have been predicted on the basis of historic</p>

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			<p>geography and archaeological potential but where a potential for preservation in situ is not possible (see ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the schedule of Mitigation (APP-287).</p> <p>At all other locations within the Order Limits where significant impacts could occur (in reference to historic geography and resulting archaeological potential) the indicative onshore infrastructure as set out in ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the Schedule of Mitigation (document APP-287) provide for the preservation in situ of remains of national importance should it be required</p> <p>Further geophysical survey has been and trial trenching will be carried out post EIA as well as post consent works set out within the Outline Onshore WSI (APP-283). These works will support the preservation in-situ of remains of national importance commitment. In these circumstances the baseline presented is considered adequate for the determination of the DCO.</p> <p>Visualisations of the OnSS are provided and include computer generated images of the proposals from viewpoints relevant to heritage assets, LVIA chapter, Chapter 28 Landscape and Visual Assessment (APP-083).</p>
	<p>EN-1 5.9.12</p>	<p>The Applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent, and detail of these studies will be proportionate to the significance of the heritage asset affected.</p>	<p>The assessment has recognised the need to understand the effects on the heritage significance of heritage assets and/or significant places. The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The archaeological significance and potential impact, including positive contribution, on the marine archaeological receptors identified within the marine archaeology Study Area was undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The Chapter sets out the MDS and relevant activities that may impact marine archaeological and cultural heritage receptors. The chapter also details further information how marine archaeological and cultural heritage receptors may be affected.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. The information provided within the Heritage Statement (APP-188) and the onshore Archaeological DBA (APP-180 to APP-187) provides for an understanding of which assets may experience adverse impact/harm. The assessment of effects to setting which may include the consideration of lighting and noise changes has been considered. It is therefore considered that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents</p>
	<p>EN-1 5.9.13</p>	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA</p>

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		<ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1 5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1 5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1 5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1 5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during</p>

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			<p>the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p> <p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
Mitigation	EN-1 5.9.16 – 5.9.18	<p>A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.</p> <p>Where the loss of the whole or part of a heritage asset’s significance is justified, the Secretary of State will require The Applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset’s importance and significance and the impact. The Applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.</p> <p>Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.</p>	<p>Requirement 17 of the draft DCO requires the Applicant to submit a WSI in accordance with the provisions set out in the Outline WSI (APP-283) and for provision to be made for the analysis, publication and dissemination of results and archive deposition.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The outline Onshore WSI notes that preservation in situ could be achieved through the micro-siting of launch and receive pits within cable installation compounds, trenchless construction techniques to avoid an open cut and easement stripping for cable installation and no-dig methods at compounds and temporary haul roads where standoffs or bog matting could be utilised respectively</p> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority.</p> <p>The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the construction of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI. Requirement 17 (Onshore archaeology) within the draft DCO (APP-303) provides that the relevant stage of the onshore works may not commence until a written scheme of archaeological investigation (which must accord with the outline onshore written scheme of investigation for archaeological works) has been submitted to and approved by Lincolnshire County Council in consultation with the relevant planning authority and Historic England. Thereafter the scheme must be undertaken in accordance with the approved details. Requirement 17 makes provision for analysis, publication and dissemination of results and archive deposition of any archaeological site investigations.</p> <p>The offshore WSI is secured through a condition of the deemed marine licence (Pre-construction plans and documentation) and will require approval in consultation with Historic England. The condition provides that the activities permitted by the marine licence may not commence until a written scheme of archaeological investigation (which must accord with the outline marine archaeological written scheme of investigation) has been submitted to and approved by the MMO.</p>
	EN-1 5.9.19 – 5.9.21	<p>Where the loss of significance of any heritage asset has been justified by The Applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:</p> <ul style="list-style-type: none"> <li>▪ imposing a requirement in the DCO</li> <li>▪ requiring The Applicant to enter into an obligation</li> </ul>	<p>The offshore assessment provided in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) concludes that throughout the construction, operation and maintenance and decommissioning phases, there is no loss of significance of any heritage assets with no additional mitigation measures identified.</p> <p>The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further</p>

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		<p>That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed.</p> <p>Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.</p>	<p>mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and microsited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</p> <p>The onshore assessment provided in ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project. The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.</p> <p>No loss of significance of non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall. In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts.</p> <p>On this basis there would be no residual significant effects to non-designated archaeological remains.</p> <p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority and MMO (in consultation with Historic England), and are controlled via DCO Requirement and condition of the deemed marine licence.</p>
Secretary of State decision making	EN-1  5.9.22	<p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:</p> <ul style="list-style-type: none"> <li>▪ relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application;</li> <li>▪ any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales</li> <li>▪ historic landscape character records;</li> <li>▪ the relevant Historic Environment Record(s), and similar sources of information;</li> </ul>	<p>The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The results of the assessments, including setting in the context of Historic Seascape Characterisation (HSC), are detailed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and are summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068).</p>

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		<ul style="list-style-type: none"> <li>representations made by interested parties during the examination process; expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.</li> </ul>	<p>The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p>
	EN-1 5.9.23	The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.	Listed Buildings, Conservation Areas and Scheduled Monuments are considered within the onshore assessment comprising ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), DBA (APP-180 to APP-187) and Heritage Statement (APP-188). ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project and no potentially significant indirect impacts have been identified for designated heritage assets.
	EN-1 5.9.24	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	The assessments presented in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) have regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.
	EN-1 5.9.25 – 5.9.26	<p>The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.</p> <p>The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>Positive contributions to knowledge and understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming relevant Method Statements, which will consider relevant research frameworks to reflect and enhance the ongoing research in the area.</p> <p>The nature of the proposals does not offer opportunities for the direct enhancement of known heritage assets. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The scheme includes embedded mitigation in the form of screen planting around the OnSS that will screen the proposals and remove any operational impact to the setting of nearby heritage assets. This includes the OLEMS (APP-284) that sets out several high quality design measures, which includes mitigation planting.</p>
	EN-1 5.9.27 – 5.9.30	<p>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.</p> <p>The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.</p>	No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. Archaeological Exclusion Zones (AEZs) (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see the Outline Marine Archaeological WSI (APP-282)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined

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		<p>Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.</p> <p>Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and WHS, should be wholly exceptional.</p>	<p>in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>With regards to onshore receptors, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains will be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	EN-1 5.9.31	<p>Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</p> <ul style="list-style-type: none"> <li>▪ the nature of the heritage asset prevents all reasonable uses of the site;</li> <li>▪ no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;</li> <li>▪ conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;</li> </ul> <p>the harm or loss is outweighed by the benefit of bringing the site back into use.</p>	<p>No cases have been identified where substantial harm to the heritage significance or total loss of significance of a designated heritage asset would arise</p> <p>As for onshore, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains would be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as temporary apart from indirect impacts to identified receptors where setting change caused by the proposed OnSS will affect the overall significance/importance of an asset. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	EN-1 5.9.32	<p>Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.</p>	<p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	EN-1 5.9.33	<p>In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (APP-282). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>In terms of onshore archaeology, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets.</p>
	EN-1 5.9.34	<p>Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site</p>	<p>The contribution of different elements of area designations has been considered within the assessment within Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p>

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		should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32 as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	<p>The contribution of different elements of a conservation area have been considered within the assessment, with no impact having been concluded by the Project.</p> <p>The Heritage Statement identifies the presence/absence of Conservation Areas within the Order Limits and a search area of up to 5km. It then assesses the potential for adverse effects/harm to Conservation Areas through setting change. Where necessary and possible, special regard to preserving or enhancing the character of a Conservation Area has been referenced through embedded design mitigation. The implementation of embedded mitigation is referenced within the proposed planting set out within LVIA Chapter 28 (APP-083). The avoidance of construction traffic through relevant Conservation Areas is set out within the Outline Construction Traffic Management Plan (CTMP) (APP-289).</p> <p>No harm to Conservation Areas is predicted with the nearest conservation area over 500m outside the Order limits. There are no World Heritage sites within the assessment study area.</p>
	EN-1 5.9.35	Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision.	<p>All known wreck sites, their archaeological significance, condition, and vulnerability, where known, is described in Section 3 of Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167)</p> <p>With regards to onshore archaeology, the heritage assets and any potential effects on these are set out in Volume 3, Appendix 20.1: Onshore Archaeology and Cultural Heritage Desk-Based Assessment (APP-180 to APP-187).</p>
	EN-1 5.9.36	When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	<p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The Project has proposed several mitigation measures to mitigate effects which include the measures set out in the OLEMS (APP-284) which sets out several high quality design measures, including mitigation planting.</p>
<b>EN-1 Part 5.10: Landscape and visual</b>			
Landscape and Visual	EN-1 5.10.1	The landscape and visual effects of energy projects will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development. In this context, references to landscape should be taken as covering seascape and townscape.	<p>Landscape and visual effects are assessed within Chapter 17 Seascape, Landscape and Visual (APP-072) (offshore) and Chapter 28 Landscape and Visual Assessment (APP-083) (onshore).</p> <p>Landscape and visual effects were also considered from the onset of the Project, in which the site selection and design approach was subject to an iterative process, meaning the most sensitive locations and receptors have been avoided. In addition, the Project has proposed several mitigation measures to mitigate effects, which includes the measures set out in the OLEMS (APP-284).</p> <p>ES Chapter 17 (APP-072) comprises the assessment of potential impacts of the Project on seascape, landscape, and visual impact assessment (SLVIA) receptors. The potential impacts from the Project on SLVIA receptors are from the array area (WTGs and Offshore Platforms) and the ORCPs within the ECC.</p> <p>Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascape character. Due to the distance of the offshore array from the coast, the Array Area of the Project will be mostly not visible to those onshore and only present in the offshore environment.</p> <p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072) presents an assessment of likely significant effects of the Project on landscape character areas (LCAs). The Project has been designed</p>
	EN-1 5.10.4 – 5.10.6	<p>Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.</p> <p>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.</p> <p>Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.</p>	

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			<p>so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advice will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts on landscape and visual receptors that will arise as a result of the construction and operational phases of the onshore components of the Project.</p> <p>The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out several high quality design measures and embedded mitigation measures, including mitigation planting.</p>
	EN-1 5.10.7 – 5.10.9	<p>National Parks, the Broads and AONBs have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints. For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be designed sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> <p>The Secretary of State has a duty of to have regard to the statutory purposes of National Parks and AONBs in Wales when making decisions about development schemes within England which affect designated landscapes in Wales. Similar regard should also be had in relation to schemes in England which have impacts on National Parks and National Scenic Areas in Scotland.</p>	<p>There are nationally designated landscapes within the Seascape, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascape, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p> <p>As referred to in Section 17.3 of Chapter 17 Seascape, Landscape and Visual (APP-072) comments have been received from NE in April 2023 in relation to the SLVIA scope. These comments set out that NE agree that potential effects resulting from elements of the Project in the Array area are likely to result in limited effects on landscape and visual receptors, including the designated/defined landscape at Spurn Head and the Norfolk Coast AONB.</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies out with the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, the Project is considered to be in accordance with paragraphs 5.9.7, 5.9.8 and 5.9.9 of NPS EN-1.</p>

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	EN-1 5.10.10 – 5.10.15	<p>Heritage Coasts are defined areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.</p> <p>Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area.</p> <p>Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p> <p>All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.</p>	<p>The potential for the Project to impact upon Heritage Coasts has been considered in Section 17.7 of Chapter 17 Seascape, Landscape and Visual Impact Assessment (APP-072).</p> <p>In relation to landscape receptors, the principal visual receptors are found along the closest section of coastlines between Donna Nook to Gibraltar Point Naturalistic Coast Landscape Character Area (LCA). This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced</p> <p>The SLVIA concludes that there are predicted moderate effects on the Donna Nook to Gibraltar Point Naturalistic Coast LCA. However, on balance these are not considered to be significant.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. At other viewpoints along the coastline the effects would be reduced due to a combination of the intervening distance and or the context of the baseline built environment, where the viewpoint is located within a settlement. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK’s renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p>
Applicant Assessment	EN-1 5.10.16 – 5.10.18	<p>The Applicant should carry out a landscape and visual impact assessment and report it in the ES, including Cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues.</p> <p>The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The Applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</p> <p>For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.</p>	<p>The Applicant has provided a seascape, landscape and visual impact assessment (SLVIA) of the offshore elements of the Project as well as a landscape and visual impact assessment (LVIA), of the onshore elements. These are included within the ES within ES Chapter 17 Seascape Landscape and Visual (APP-072) and ES Chapter 28 Landscape and Visual Impact Assessment (APP-083) respectively.</p> <p>The assessments have been undertaken in accordance with the Landscape Institute and IEMA (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), and other best practice guidance. The methodology used to undertake the SLVIA is set out in full in Appendix 17.1 (APP-174) with the LVIA methodology provided in Section 6 of the ES LVIA Chapter. Both assessments consider cumulative impacts</p>

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			<p>The LVIA has been undertaken with reference to published landscape character assessments associated studies and relevant policies for the study area are referred to in section 7.2 of the LVIA chapter.</p> <p>Section 17.7 of the SLVIA chapter takes into account the relevant landscape and seascape character assessments, and associated relevant policies based on these.</p>
	<p>EN-1: 5.10.19</p>	<p>The Applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised incorporated into the design, delivery and operation of the scheme</p>	<p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the Project throughout the pre-application process and will continue to be applied. ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted. The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. With regards careful design offshore, the WTGs and other infrastructure have been sited, as far as reasonably practical, to avoid and minimise significant effects on designated sites</p> <p>The Project has made a number of commitments to reduce and minimise the onshore impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</p>
	<p>EN-1 5.10.20</p>	<p>The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas’.</p>	<p>To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character has been undertaken for both seascapes, with regards the offshore WTGs and other offshore infrastructure see Chapter 17 Seascape, Landscape and Visual (APP-072) and landscape with regards the OnSS Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>There are no offshore effects on landscape components as a result of the offshore infrastructure of the Project. There are however potential effects on seascape components of landscape character, and perceived character of landscape designations and these are assessed in Section 17.7 of the SLVIA chapter (APP-072). For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The landscape and visual effects resulting from the onshore elements of the Project during construction and operation are assessed in section 7.2 and section 7.3 of the LVIA chapter respectively (APP-083).</p> <p>There will be significant effects on the local landscape character around the OnSS during the construction phase, extending up to a maximum range of 1.6km, due to the presence and influence of the construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 15-year period due to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The onshore programme for decommissioning is expected to be similar to that of the construction phase.</p>

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			<p>As noted in the response to NPS EN-1 5.10.7 to 5.10.9, there are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project, except .</p> <p>The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p>
	EN-1 5.10.21	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	<p>Both assessments have assessed the visual impacts of the Project</p> <p>The visual effects of the offshore elements of the Project during construction and operation, are addressed in Section 17.7 of the ES SLVIA Chapter (APP-072). There is the potential for significant effect during the construction phase on visual receptors on the closest parts of undeveloped sections of the coastline, primarily with the construction of the ORCP due to their proximity to parts of the Lincolnshire coastline. These effects are associated with the closest onshore visual receptors to the ORCPs. During the operational phase the ORCP are predicted to have significant impacts on the closest parts of undeveloped sections of the coastline. Within the decommissioning phase the effects are expected to be no greater than the construction. Therefore, the array area infrastructure is predicted to have a significant effect, and the ORCP will have a potential significant effect.</p> <p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in Section 17.7 of the SLVIA</p> <p>The onshore LVIA (APP-083) concludes that during the construction phase, visual amenity will be significantly affected for people in the local area around the OnSS, extending up to a maximum range of 1.3km due to the presence and influence of construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 5 to 15-year period owing to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p> <p>Significant cumulative effects will occur on local residents and road-users during the construction of the 400kV cable corridor and the National Grid Substation. There will also be significant cumulative effects during the construction and operational phases on three representative viewpoints owing to the cumulative interaction between the OnSS and an Anaerobic Digestion Plant, and on two viewpoints owing to the cumulative interaction between the OnSS, application stage Anaerobic Digestion Plant and the National Grid Substation. All significant effects will be reduced to not significant during a 5 to 15 year period during which mitigation planting will grow to create an effective screen around the OnSS.</p>
	EN-1 5.10.22	The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	<p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in the SLVIA</p> <p>The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.10.23	Applicants are expected to justify BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower explaining why the application of modern hybrid cooling technology or other technologies is not reasonably practicable.	The Project does not propose the infrastructure outlined within Paragraph 5.10.23 of EN-1.
	EN-1 5.10.24	Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.	An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project. The proposed mitigation planting for the OnSS comprises a framework of bands of planting that connect to form an effective screen, as well as a network of corridors for nature. The bands of planting comprise woodland belts where possible, and hedgerows where restrictions over, or under cables apply. The bands of planting are mostly located along field boundaries or along roadsides.
	EN-1 5.10.25	In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.	Baseline Offshore Windfarms (OWFs) are referenced in Section 17.4 and Section 17.8 of the SLVIA Chapter (APP-072),
Mitigation	EN-1 5.10.26 – 5.10.28	<p>Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.</p> <p>Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.</p> <p>Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.</p>	<p>The Applicant has sought to minimise adverse visual and landscape effects wherever practicable, consideration for these effects have informed the Applicant’s site selection decisions as discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059), and mitigation measures proposed, such as those proposed in Chapter 29 Landscape and Visual Impact Assessment (APP-083) and Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072)..</p> <p>The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>For the onshore elements of the Project, effects on Landscape and Visual receptors are assessed in APP-083. Mitigation planting has been proposed off-site (within the order limits) that reduces the Project’s long term visual impact of the Onshore substation to non-significant after 15 years (and in some cases in as low as 5 and years).</p> <p>The Applicant submitted a Design Approach Document (APP-292) into the Examination which sets out the Applicant’s commitment to undertaking a design review process which was initiated in January 2024. A Design Principles Statement (APP-293) was also submitted and outlines the Project commitments relevant to design, these are secured through requirement 9 of the draft DCO., The Applicant has committed to updating this document throughout the examination as the design review process progresses. The Design Review has included presenting visualisations of alternative colours and roof shapes and with a review of material options.</p> <p>The Project’s landscaping proposals are contained within and secured through the OLEMS (APP-284).</p>
Secretary of State decision making	EN-1 5.10.29 – 5.10.30	The Secretary of State should take into consideration the level of detailed design which the Applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals.	As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.</p>	<p>whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The Project design process has undergone various iterations, involving early engagement with stakeholders, communities, and landowners to seek input to refine the key elements of the Project. Consultation on refinements to the Project’s sites’ selection including alternatives, the route, layout and configuration have been undertaken through informal and formal consultation, and bilateral engagement with individual stakeholders. Feedback received has been taken into consideration throughout, via a range of means including and can be found in the Consultation Report (APP-032).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>The capacity of the landscape to accommodate the onshore elements of the Project is assessed in relation to the natural screening afforded by landform, woodlands and trees and the degree to which other surrounding infrastructure and buildings influence visual screening.</p> <p>As screening is limited in this landscape, especially in respect of the Surfleet Marsh OnSS the approach has been to locate the onshore ECC, 400kV cable corridor and the OnSS as far detached as possible from nearby settlements primarily, but also from roads and PRoWs.</p> <p>The close proximity of existing electricity overhead lines to the Surfleet Marsh OnSS provides a context of electrical infrastructure across the local and wider landscapes. There is also a more distant influence from the Spalding Energy Facility, located to the south of the Surfleet Marsh OnSS. This context was considered in site selection and aligning with it is also considered to be embedded mitigation</p> <p>The Project has also adopted a Maximum Design Scenario approach as detailed within Chapter 3 Project Description (APP-058) to assess the greatest potential for change across each impact assessed, such that the design of the Project can assess impact on a “worst case scenario” and best avoid significant impact..</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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	EN-1 5.10.32	<p>When considering applications for development within National Parks, the Broads and AONB the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> <li>▪ the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;</li> <li>▪ the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3; and</li> </ul> <p>any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p>	The Project is not located in a designated landscape.
	EN-1 5.10.33	For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	
	EN-1 5.10.34	The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.	<p>There are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascope, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project. For ORCPs only, the ES concludes potential significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascope Landscape and Visual Impact Assessment (APP-072).</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083)), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p>
	EN-1 5.10.35	The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascope character. Due to the distance of the offshore array from the coast, the development will be mostly not visible to those onshore and only present in the offshore environment. This is reflected in the findings of the SLVIA Chapter (APP-072) as summarised below:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>In relation to landscape receptors, the key consideration is potential Donna Nook to Gibraltar Point Naturalistic Coast LCA. This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As outlined in Chapter 28 of the ES localised effects on the Surfleet and Gosberton Marsh LLCA within which the OnSS will be located have been identified, however Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance. The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, like the Project which is critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development.</p>
	EN-1 5.10.36	In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	<p>Refer to comments for Paragraph 5.10.34.</p> <p>Where the seascape, landscape and visual impacts of the Project are temporary or reversible, this is set out in Section 17.7 of the SLVIA Chapter (APP-072), The LVIA</p>
	EN-1 5.10.37	The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	<p>A summary of how the Applicant has carefully approached the design of the Project is provided in the response to NPS EN-1 5.10.29 – 5.10.30, with further detail provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p>
	EN-1 5.10.38	The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	The draft DCO (APP-303) includes requirements that the Applicant has considered appropriate to secure the various commitments made including Requirement 9 which requires the Applicant to submit detailed onshore design parameters to the relevant planning authority for approval prior to construction and

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Requirement 10 which requires the submission of a written landscape management plan in accordance with the OLEMS submitted (APP-284)
<b>EN-1 Part 5.11: Land use including open space, green infrastructure, and Green Belt</b>			
Land Use, Including Open Space, Green Infrastructure, and Green Belt	EN-1 5.11.1 – 5.11.2	<p>An energy infrastructure project will have a direct effect on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development. Given the likely locations of energy infrastructure projects there may be particular effects on open space including green and blue infrastructure.</p> <p>Green Belts, defined in a local authority’s development plan in England or regional strategic development plans in Wales, are situated around certain cities and large built-up areas. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. For further information on the purposes of Green Belt policy see Chapter 13 Marine and Intertidal Archaeology of the NPPF, or any successor to it.</p>	<p>Open spaces, sports and recreational facilities have been considered in Chapter 25 Land Use (APP-080).</p> <p>The Project has undergone an iterative site selection process which has involved environmental and engineering considerations in collaboration with feedback obtained through consultation. Throughout the design process, the Project has minimised the permanent loss of land as far as practicable, alongside measures embedded to reinstate the temporarily impacted land to its original use, following the completion of the construction works. Through sensitive site selection and design the Project has minimised interaction with open spaces and green infrastructure. Land use is heavily agricultural and lacks open spaces which could be used for outdoor recreation.</p> <p>Whilst the Project interacts with Public Rights of Way the interaction will be managed through the Public Access Management Plan (PAMP) that will be submitted to the local highway authority and will accord with the principles set out in the outline PAMP (APP-291) which establishes the principles for management of PRoWs.</p> <p>In addition, the Project does not involve the loss or erosion of green belt land as no part of the Project falls within Green Belt areas and is therefore compliant with Paragraphs 5.11.1-5.11.2.</p>
	EN-1 5.11.3 – 5.11.4	<p>Although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure.</p> <p>Development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Indirect impacts may also arise from changes in the local water regime, organic matter content, soil biodiversity and soil process.</p>	<p>Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078)</p> <p>Details on existing or proposed land uses and new developments or proposed projects are assessed for potential Cumulative impacts in Chapter 25 Land Use (APP-080).</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system.</p> <p>Chapter 23 Geology and Ground Conditions (APP-078) concludes that there will be no significant impact to soil resources. This is as a result of the mitigation/best practice techniques outlined in the Outline Soil Management Plan (APP-271) which provides details of mitigation measures and best practice handling techniques to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement during the construction of the onshore infrastructure.</p>
	EN-1 5.11.5 – 5.11.6	<p>Where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum.</p> <p>The government’s policy is to ensure there is adequate provision of high-quality open space and sports and recreation facilities to meet the needs of local communities.</p>	<p>Pre-existing conditions including contamination are considered within Section 23.4.3 of Chapter 23 Geology and Ground Conditions (APP-078). The Project proposes several measures to ensure pre-existing conditions do not result in the occurrence of significant adverse effects. This includes the preparation of the Outline Soil Management Plan (APP-271) which outlines an approach to dealing with pre-existing conditions and monitoring. The code of construction practice (APP-268) will set out procedures to be followed should sources of contamination (e.g., buried asbestos) be discovered during construction phase works. If unexpected contamination is encountered or suspected, the works would cease in that</p>

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		Connecting people with open spaces, sports and recreational facilities all help to underpin people’s quality of life and have a vital role to play in promoting healthy living.	<p>area and assessment by a suitably qualified land contamination specialist would be made to determine appropriate actions</p> <p>Regarding open space and sports and recreation facilities, where practically possible, these sensitive areas have been avoided through the iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>The Country Park r would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor’s predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use were not considered to be significant, particularly with regards to several receptors where impacts can be entirely avoided through the Project’s design and bypassing beneath the receptor through the usage of trenchless techniques.</p>
	EN-1 5.11.7	Green and blue infrastructure can also enable developments to provide positive environmental, social, health and economic benefits. Green infrastructure includes green space such as parks and woodlands but also other environmental features such as street trees, hedgerows and green walls and roofs. It also includes blue infrastructure such as canals, rivers, streams, ponds lakes and their borders. Well designed and managed green and blue infrastructure provides multiple benefits at a range of scales. It can contribute to biodiversity recovery, sequester carbon, absorb surface water, cleanse pollutants, absorb noise and reduce high temperatures. The Green Infrastructure Framework – Principles and Standards for England can be used to consider green infrastructure in development and plan for good quality and targeted creation or improvement.	<p>The Applicant has committed to mitigation/compensatory measures to enhance biodiversity and enhance green and blue infrastructure. This includes the OLEMS (APP-290) that sets out high quality design measures that will also deliver biodiversity enhancements at the same time, which includes mitigation planting. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p> <p>The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes</p>
Applicant Assessment	EN-1 5.11.8	The ES (see Section 4.3) should identify existing and proposed land uses near the Project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, The Applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	<p>Detail on existing or proposed Land Uses can be found in Chapter 25 Land Use (APP-080) which provides a detailed account of the surrounding land uses, and the potential impacts associated with the Project during the construction, operation, and decommissioning phases.</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The Order Limits are also frequently crossed by Public Rights of Way (PRoWs), utilities, ecological designations, agri-environmental schemes and various outdoor areas of land with potential recreational purposes, such as a Country Park or Common Land.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>During the construction phase, there are no significant residual effects associated with land use when accounting for the embedded measures of mitigation, such as the CoCP, SMP, and Public Access Management Plan (PAMP) (APP-291). Minor adverse effects on agricultural productivity and land holdings were identified, but no significant adverse residual effects were observed, through a combination of the temporary and phased nature of the impacts, as well as the integration of management plans which proved instrumental in mitigating these impacts.</p> <p>Additionally, impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use were either negligible or minor adverse, with no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>During the operation and maintenance phase, two impacts have been identified, one is not significant, however, one effect concerning the permanent loss of local agricultural land as a result of the OnSS, link boxes, and associated ancillary infrastructure is of residual major adverse effect after mitigation. Chapter 25 Land Use (APP-080) has considered potential future development and identified an application for the siting of static caravans, which has been considered within the assessment.</p>
	EN-1  5.11.9 – 5.11.10	Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport, or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicants should refer to the Green Infrastructure Framework. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	<p>Consultation is a key part of the DCO application process. Consultation regarding Land Use has been conducted via:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Technical Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (including Phase 2 Consultation, Autumn Consultation and Targeted Winter Consultation)</li> </ul> <p>An overview of the Project's consultation process is presented within ES Chapter 6 Technical Consultation (APP-061) and the Consultation Report (APP-032).</p>
	EN-1  5.11.11	During any pre-application discussions with The Applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	<p>The Project has been subject to extensive pre-application discussions with the LPAs, with those which are relevant to Land Use impacts outlined in Section 25.3 of Chapter 25 Land Use (APP-080) which includes how the key issues from the Scoping Opinion have been addressed. The related policy and legislation, including the local development plans, have been outlined in section 25.2, whilst land use assessment has been undertaken in Section 25.7 of Chapter 25.</p> <p>Routing and siting considerations that are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p>
	EN-1  5.11.12 – 5.11.13	Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	<p>The effects of onshore infrastructure associated with the Project on agricultural land are considered in Section 25.7 of Chapter 25 Land Use (APP-080).</p> <p>Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within</p>

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		Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed.	southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.
	EN-1 5.11.14- 5.11.15	Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	<p>The effect on soil quality has been assessed in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.</p> <p>Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.</p>
	EN-1 5.11.16 – 5.11.18	<p>Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.</p> <p>Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.</p>	<p>As presented in the Consultation Report (APP-032), the Evidence Plan Process Consultation (APP-149) and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA.</p> <p>Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078).</p>
	EN-1 5.11.19	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	<p>The effect on mineral resources has been assessed in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>As noted in the baseline section of ES Chapter 23 Geology and Ground Conditions (APP-078), the study area does not overlie areas of minerals safeguarded by Lincolnshire County Council. A search of the Lincolnshire County Council planning website has not shown any extant planning permissions for mineral extraction in these areas.</p> <p>Published information indicates that in this region the deposits are widespread. Deposits further north within similar geologies have been quarried, however within the study area deposits have not been quarried or mined on any significant scale are unlikely to be of economic value. It is considered that the construction of the onshore ECC and proposed OnSS location will not lead to sterilisation of mineral resources.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.11.20	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.11.36 below).	The Project is not located within any Green Belts.
	EN-1 5.11.21	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria on such developments in Green Belts.	
	EN-1 5.11.22	Moreover, an applicant may be able to demonstrate that particular energy infrastructure, such as an underground pipeline, may be considered an “engineering operation” and regarded as not inappropriate in Green Belt. This is provided it preserves the openness of the Green Belt and does not conflict with the purposes of Green Belt designation. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line in a particular location would not have so harmful an impact as to conflict with the purposes of Green Belt designation, or with other protections of rural landscape	
Mitigation	EN-1 5.11.23	Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the Project and the protection of soils during construction.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and, where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p> <p>An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.</p> <p>Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>With regard to use of agricultural land, the Project has been designed to minimise the impacts on agricultural land by aligning the ECC route along field boundaries to avoid fracturing land parcels and excess land take. The Project has also chosen the route north of the A52, which has led to the avoidance of higher graded agricultural land.</p> <p>Soils will be handled using the measures outlined in the outline SMP to allow them to maintain the same quality, which will be reinstated following construction. As the land will be reinstated to the previous quality following the construction phase, it is expected that the following sowing season would return to the same levels of agricultural productivity.</p> <p>When considering the temporary nature of the impact and the reinstatement of the soils, therefore the agricultural land itself, to the same standard, significant effects on agricultural land are not predicted to occur.</p> <p>The OnSS is located in best and most versatile (BMV) agricultural land. Rather than introducing woodland blocks or belts, as part of the landscape mitigation and ecological compensation and enhancement proposals, that would occupy fields or fragment fields and make them unusable for farming, the containment of planting along the field boundaries would minimise the disruption and enable farming to continue across most of the land surrounding the OnSS. Furthermore, the belts of woodland planting will create shelter from the winds that affect this exposed landscape and in so doing may help increase crop productivity.</p> <p>Although loss of agricultural land is minimised, the permanent loss of BMV agricultural land due to the combined effect of the OnSS and the link boxes is considered to be major (significant) in EIA terms.</p>
	EN-1 5.11.24 – 5.11.26	<p>Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes.</p> <p>The Secretary of State should also consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility.</p> <p>Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.</p>	<p>This policy has guided the consideration of embedded mitigation and ensured that the Project does not affect green infrastructure in a meaningful way.</p> <p>The Applicant has primarily sought to avoid adverse effects on green infrastructure through consideration of routing, siting and scheme design. Where there remains interaction with green infrastructure, this is predominantly via works that could potentially disrupt the PRoW network or public use of the beach area. Specifically coastal access routes and public rights of way are to be managed through the implementation of the PAMP (APP-291), a final version of which will need to be approved under DCO Requirement 18, Code of Construction Practice), such that the routes will be maintained within minimum disruption, and connectivity will be maintained.</p>
	EN-1 5.11.27	Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The Applicant should assess the impacts on, and loss of, all trees and woodlands within the Project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of	ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) illustrates how direct impacts on designated sites have been avoided through project design. Also, how blocks of woodland are avoided and the loss of individual trees and hedgerows has been minimised.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.</p>	<p>Embedded mitigation measures are provided in Section 21.7 of Chapter 21 Onshore Ecology (APP-076) which account for retention of existing trees and woodland. For example, in order to mitigate the risk of loss of, or damage to veteran trees, the detailed design of the Project will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. As part of the pre-commencement surveys, any veteran or ancient trees would be identified. The Root Protection Areas (RPAs) of all retained trees and woodland would be determined by arboriculture survey. The outer extent of the RPA would be demarcated, prior to commencement of works, by fencing of a specification capable of excluding construction machinery, equipment and personnel from these areas.</p> <p>No trees will be removed for temporary access and efforts will be made to further reduce the number of trees lost through micro-siting wherever possible. Where trees are removed, they will not be replaced in situ for operational reasons (i.e. because access to the cables is required). Compensation for the loss of trees along the route will also be provided by the proposed screening planting at the OnSS (as set out in the OLEMS (APP-284).</p> <p>This is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302), which outlines the commitment of the Project to adopting Biodiversity Net Gain using the latest metric.</p>
	EN-1 5.11.28	<p>Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	<p>The Project does not overlie or result in any adverse impacts to an MSA, as confirmed within Chapter 23 Geology and Ground Conditions (APP-078).</p>
	EN-1 5.11.29	<p>Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas</p>	<p>As noted in the response to NPS EN-1 5.11.19 and confirmed in Chapter 25 Land Use (APP-080), The Project will have no long-term effects on land use.</p>
	EN-1 5.11.30 – 5.11.31	<p>Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.</p> <p>The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent.</p>	<p>Several long-distance routes and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however no public rights of ways will be closed temporarily without offering a diversion or alternative route as detailed in the Outline PAMP (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p> <p>ES Chapter 27 Traffic and Transport (APP-082) comprises the assessment of potential impacts of the Project on traffic and transport receptors, including users of Public Rights of Way (PRoW). Users of PRoW impacted by the Project's construction were assessed, identifying significant effects on specific PRoW during summer as a worst case scenario and due to shared routes with construction traffic. The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>The impacts upon outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use have been assessed in Chapter 25 Land Use and are not predicted to be significant,</p>

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			<p>particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>ES Chapter 29 Socio-Economic Characteristics (APP-084) specifically considers impacts upon recreational users of the Macmillan Way, given this long distance walking route represents a tourism and recreation asset. The Macmillan Way is a long-distance walking route that overs 290 miles and uses existing footpaths bridleways and byways. It is used for sponsored walks, with funds raised donated to Macmillan Cancer Support. The assessment references the LVIA (APP-083) noting changes in landscape along part of the route are likely to have only a minor influence on the ability of the Macmillan Way to attract users and will have no influence in its ability to accommodate users. As such, the impact of the Project upon users of the Macmillan Way is not considered to be significant.</p>
Secretary of State decision making	EN-1 5.11.32 – 5.11.33	<p>The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the Project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by The Applicant to provide new, improved or compensatory land or facilities.</p> <p>The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.</p>	<p>Detail on existing or proposed outdoor recreational land can be found in Section 25.5 of Chapter 25 Land Use (APP-080) and is assessed in Section 25.7 of the chapter. The majority of the onshore ECC and OnSS are located on agricultural land. There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>This receptor would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor's predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use are assessed within Chapter 25 Land Use (APP-080), which has predicted no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>Table 25.19 of Chapter 25 sets out embedded mitigation included the careful site selection which will ensure sensitive regions and areas of value, like playing fields will not be lost as a result of the Project.</p>
	EN-1 5.11.34	<p>The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p>	<p>The effects of Onshore infrastructure associated with the Project on agricultural land and agricultural holdings are considered in Section 25.7 of Chapter 25 Land Use (APP-080). The response to NPS EN-1 5.11.23 sets out how impacts on best and most versatile land have been minimised through site selection and mitigation and the resulting levels of impact. Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification</p>

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			process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.
	EN-1 5.11.35	In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	The Project has avoided meaningful interaction with open space such as coastal recreation sites. This is outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) in which the Project has undergone an iterative site selection process and has committed to trenchless drilling to minimise the extent of direct interaction with coastal features. This is secured by a requirement within the DCO. Whilst some temporary interaction with public rights of way is unavoidable, these interactions will be managed through the implementation of a PAMP, drafted in accordance with the principles and protocols set out in the Outline PAMP (APP-291) which comprises several mitigation measures that will ensure no effects on such amenity are significant.
	EN-1 5.11.36 – 5.11.37	When located in the Green Belt, energy infrastructure projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances. Very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources.	The Project does not interact with areas designated as Green belt and so has no impact on the Green Belt.
	EN-1 5.11.38 & 5.11.40	In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach.  Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process.	
<b>EN-1 Part 5.12: Noise and Vibration</b>			
Noise and Vibration	EN-1 5.12.1 – 5.12.2	Excessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality.  The Government's policy on noise is set out in the Noise Policy Statement for England.	Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which has enabled the Project to be assessed against the principal aims of the NPSE which is referenced here.

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		It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to the assessment of impacts of vibration.	
	EN-1 5.12.4	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production.	<p>In terms of impacts on fish and shellfish, a full underwater assessment on receptors is provided within Chapter 10 Fish and Shellfish Ecology (APP-065) and in respect of marine mammals this is set out within Chapter 11 Marine Mammals (APP-066).</p> <p>A piling MMMP will be developed and implemented during construction, following the principles set out in the Outline Marine Mammal Mitigation protocol (piling) (APP-279)) which will benefit fish and shellfish receptors in limiting noise impacts.</p> <p>Noise has been considered in respect of the onshore ecological receptors within the onshore ecology assessment with embedded mitigation set out within Section 21.7 of Chapter 21 Onshore Ecology (APP-076) and Section 22.6 of Chapter 22 Onshore Ornithology (APP-077). The embedded mitigation presented would prevent any harmful impacts as a result from noise. Section 26.7 of Chapter 26 Noise and Vibration (APP-081) has also assessed noise impacts on ecological receptors. The noise generated by all construction operations and the operational noise from the OnSS on International or National ecological sites situated near the landfall, ECC, 400kV cable corridor and OnSS have been predicted and assessed in accordance with the limits contained in AQTAG09 (Air Quality Technical Advisory Group 09), Guidance on the effects of industrial noise on wildlife, which is intended to be used to assess the potential adverse impact of sound, of an industrial and/or commercial nature on wildlife.</p> <p>The Applicant has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. The Applicant has provided an Outline Noise and Vibration Management Plan (APP-269) which sets out the noise and vibration management techniques which may (subject to the final design of the proposed Project) be implemented by the Applicant and its contractors during the construction of the onshore works.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.</p>
	EN-1 5.12.5	<p>Factors that will determine the likely noise impact of a proposed development include:</p> <ul style="list-style-type: none"> <li>▪ the inherent operational noise from the proposed development, and its characteristics</li> <li>▪ the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces)</li> <li>▪ the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality</li> <li>▪ the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species</li> </ul> <p>the potential presence of unexploded ordnance on the seabed</p>	<p>The factors listed within Paragraph 5.12.5 of EN-1 have been identified and considered in the ES assessments (and supporting appendices) within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul>
Applicant Assessment	EN-1	Where noise impacts are likely to arise from the proposed development, The Applicant should include the following in the noise assessment:	The factors listed within Paragraph 5.12.6-5.12.7 of EN-1 have been provided, where relevant, in the ES assessments (and supporting appendices) within the following chapters:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	5.12.6 – 5.12.7	<ul style="list-style-type: none"> <li>▪ a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise;</li> <li>▪ identification of noise sensitive receptors and noise sensitive areas that may be affected;</li> <li>▪ the characteristics of the existing noise environment</li> <li>▪ a prediction of how the noise environment will change with the proposed development.</li> <li>▪ in the shorter term, such as during the construction period</li> <li>▪ in the longer term, during the operating life of the infrastructure</li> <li>▪ at particular times of the day, evening, and night (and weekends) as appropriate, and at different times of year</li> <li>▪ an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life/ well-being where appropriate particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas;</li> <li>▪ if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise;</li> <li>▪ all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.</li> </ul> <p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p>	<ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>The assessment has considered all the aspects identified in paragraph 5.12.6 as set out in Sections 26.4 to 26.7 of Chapter 26 Onshore Noise and Vibration (APP-081)</p>
	EN-1 5.12.8	Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	<p>Construction and operational noise (including increased traffic levels, the use of plant and excavation works), has been assessed in Chapter 26 Noise and Vibration (APP-081). The chapter concludes construction traffic noise near the affected local road network is predicted to have a temporary minor adverse effect which is not significant under EIA Regulations with mitigation measures in place. Further to this, the Applicant has submitted an outline Code of Construction Practice (APP-268) and outline Noise and Vibration Management Plan (APP-269) which sets out the key principles and types of measures to be implemented during construction of the Project. Measures that could be implemented to mitigate noise from construction traffic on local roads include:</p> <ul style="list-style-type: none"> <li>▪ Vehicles not waiting or queuing up with engines running on the site or the public highway;</li> <li>▪ Vehicles properly maintained to comply with noise emissions standards;</li> <li>▪ Deliveries will be restricted to be within agreed working hours;</li> <li>▪ Coordination between construction phases to reduce the maximum daily construction vehicle movements, wherever practicable; and</li> <li>▪ Temporary sound barriers</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.12.9	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The assessment of operational noise, with respect to human receptors, has been undertaken in accordance with the principles in the relevant technical guidance and British Standards as outlined in Section 26.2.5 of Chapter 26 Noise and Vibration (APP-081). Noise generated by the OnSS has been predicted at the nearest residential NSRs using the March 2024 Cadna/A noise modelling software and the methodology in ISO 9613-2:1996, Acoustics – Attenuation of Sound during Propagation Outdoors, and assessed at any identified residential receptors in accordance with BS 4142:2014+A1:2019 – Methods for Rating and Assessing Industrial and Commercial Sound, whereby sound levels associated with the operation of the OnSS are compared to measured day-time and night-time background sound levels at the closest receptors.
	EN-1 5.12.10	Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e., physical design and location of development). The Applicant should consult the EA and/or the SNCB, and other relevant bodies, such as the MMO or NRW as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	The assessment of noise impacts on ecological receptors has been a point of discussion with the relevant stakeholder through the Applicant’s Evidence Plan Process (EPP). These are included in Chapter 21 Onshore Ecology (APP-076), Chapter 22 Onshore Ornithology (APP-077), Chapter 12 Offshore and Intertidal Ornithology (APP-067), Chapter 11 Marine Mammals (APP-066) and Chapter 10 Fish and Shellfish Ecology (APP-065).
	EN-1 5.12.11	In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.	A full assessment of underwater noise on fish and shellfish receptors is provided in Section 10.6 of ES Chapter 10 Fish and Shellfish Ecology (APP-065). The assessment of underwater noise impacts in-combination with other marine activities is provided in Section 10.7. ES Chapter 11 Marine Mammals (APP-066) provides an assessment of underwater noise impacts upon marine mammals and of the impacts in-combination with other marine activities.  A piling Marine Mammal Mitigation Programme (MMMP) will be developed and implemented during construction following the principles set out in the Outline MMMP (APP-278). Whilst the implementation of a MMMP is aimed at marine mammals and not at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. Embedded mitigation in relation to fish and shellfish ecology is provided in Table 10.8 of ES Chapter 10.
	EN-1 5.12.12	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	A detailed assessment of the potential impacts of Onshore Noise and Vibration from the Project is provided in ES Chapter 26 Noise and Vibration (APP-081).  The Chapter describes the scope, relevant legislation, assessment methodology, and the baseline conditions existing at the site and its surroundings. It considers any potential significant environmental effects the Project would have on this baseline environment; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed. Cumulative noise and/or vibration effects with other proposed developments that may also have an impact on the sensitive receptors close to the Project are also considered.  The Project has made a number of commitments to reduce and minimise impacts from construction noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Mitigation for reducing noise and vibration is described in Section 26.5.3 of Chapter 26 Noise and Vibration (APP-081). Additional mitigation may be required, subject to the final design, as described in the Outline Noise and Vibration Management Plan (APP-269). Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible. . Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
Mitigation	EN-1 5.12.13 – 5.12.14	<p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the Project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.</p> <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: reducing the noise generated at source and/or containing the noise generated</li> <li>▪ lay-out: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings</li> <li>▪ administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites</li> <li>▪ insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.</li> <li>▪</li> </ul>	<p>During construction, including landfall, onshore ECC, 400kV cable corridor and OnSS activities, temporary minor to major adverse noise and vibration effects are anticipated. The mitigation measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours will aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary minor adverse effects will be experienced at the identified receptors which are non-significant in terms of the EIA Regulations.</p> <p>Operational noise levels from the OnSS may result in permanent moderate adverse effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to minor adverse which are nonsignificant in terms of the EIA Regulations.</p> <p>During the decommissioning phase, anticipated noise and vibration levels during decommissioning activities are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required</p> <p>As significant noise and vibration effects are not predicted for the Project, additional mitigation is not considered necessary, or appropriate, over and above that proposed within the ES Chapters, CoCP (and associated environmental management plans including the noise and vibration management plan).</p> <p>Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303):</p> <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul>
	EN-1 5.12.15 – 5.12.16	<p>The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).</p> <p>A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government’s associated planning guidance on noise. In</p>	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project (taking into account statutory requirements like the NPPF) has undergone an iterative design and site selection process, to ensure the greatest contribution to renewable energy targets possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC, the 400kV cable corridor and OnSS.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan.</p>	<p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process. Section 3.3.3 sets out the requirement for noise attenuation within the final design of the OnSS to reduce the noise emitted from external equipment as close as possible to the source. Details of operational noise management are required to be submitted for approval prior to construction as part of the pack of final design documents, which will reflect the detailed technical specification of the actual equipment being deployed. It may be possible to procure equipment with a lower noise emission level, compared with the assumptions used for assessment, which may reduce or remove the requirement for additional mitigation.</p> <p>Section 26.2 of Chapter 26 Noise and Vibration (APP-081) provides an overview of the statutory and policy context the Project has had due regard to with respect to noise and vibration, which includes:</p> <ul style="list-style-type: none"> <li>▪ The NPSs</li> <li>▪ NPPF (also see Table 1.4 in this document)</li> <li>▪ Noise Policy Statement for England</li> <li>▪ Local Planning Policy (also see Tables 1.7 and 1.8 in this document)</li> </ul> <p>Regarding noise, the siting of the proposed OnSS has taken into account the locations of the nearest sensitive receptors and embedded measures have been proposed to avoid and mitigate effects, which are set out in Section 26.5 of Chapter 26 Noise and Vibration (APP-081). Further to this, Section 26.5.3 of Chapter 26 outlines mitigation measures that will be implemented from the construction-decommissioning stages which include the Outline Noise and Vibration Management Plan (APP-269). The measures proposed will ensure there will be no significant effects in relation to noise and vibration as confirmed within Chapter 26 Noise and Vibration (APP-081).</p>
Secretary of State decision making	EN-1  5.12.17	<p>The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</p> <ul style="list-style-type: none"> <li>▪ avoid significant adverse impacts on health and quality of life from noise;</li> <li>▪ mitigate and minimise other adverse impacts on health and quality of life from noise;</li> <li>▪ where possible, contribute to improvements to health and quality of life through the effective management and control of noise</li> </ul>	<p>Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which have enabled the Project to be assessed against the principal aims of the NPS. Appropriate mitigation and noise management and control are detailed in the Outline Noise and Vibration Management Plan (APP-269).</p> <p>During construction, potential noise and vibration effects are anticipated through measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours that aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary non-significant effects are experienced at the identified receptors.</p> <p>Unmitigated operational noise levels from the OnSS may result in significant effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to a level that is not significant.</p> <p>During the decommissioning phase, anticipated noise and vibration levels are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Project has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
	EN-1  5.12.18	When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303): <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul> No additional mitigation is therefore required; Chapter 26 Noise and Vibration (APP-081) concludes that there will be no significant effects with respect to noise and vibration following the proposed mitigation.
<b>EN-1 Part 5.13: Socio-economics</b>			
Applicant Assessment	EN-1  5.13.2 – 5.13.3	Where the Project is likely to have socio-economic impacts at local or regional levels, the Applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3).  The Applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that The Applicant can gain a better understanding of local or regional issues and opportunities.	Impacts on the region have been outlined within Chapter 29 Socio-Economic Characteristics (APP-084). The feedback from the consultation programme and members of the Expert Topic Groups, including relevant local authorities, is outlined in Chapter 29 Socio-Economic Characteristics (APP-055).  ES Chapter 29 Socio-Economic Characteristics (APP-084) comprises the assessment of potential impacts of the Project on socio-economic, tourism and recreation receptors. The assessment recognises that economic impacts will occur across a wider area than the area of the onshore export cable route and onshore substation site (OnSS). Impacts will also be centred around other areas such as the potential ports used for construction and operations. Therefore, economic impacts have been quantified across three onshore study areas. <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas. This area includes all the potential sites for onshore infrastructure construction and the possible location of the key port locations in the UK.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK.</li> </ul> Consultation regarding Socioeconomics, Tourism and Recreation has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Volume 1, Chapter 6: Technical Consultation (APP 6.1.6) and wider consultation is presented in the Consultation Report (APP-032).
	EN-1  5.13.4	The Applicant's assessment should consider all relevant socio-economic impacts, which may include: <ul style="list-style-type: none"> <li>▪ the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero;</li> </ul>	Chapter 29 Socio-Economic Characteristics (APP-084) has considered all relevant socio-economic impacts. Throughout this chapter the impacts on socioeconomics and tourism from the construction, operations and decommissioning of the Project are considered. In particular, the following impacts have been considered: <ul style="list-style-type: none"> <li>▪ Impacts on employment are considered in Section 29.8;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ the contribution to the development of low-carbon industries at the local and regional level as well as nationally;</li> <li>▪ the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities;</li> <li>▪ any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains;</li> <li>▪ effects (positive or negative) on tourism and other users of the area impacted;</li> <li>▪ the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development;</li> <li>▪ Cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Impacts on local services and social infrastructure, such as schools and health services are considered in Section 29.8;</li> <li>▪ Sustainability of jobs is considered alongside the impact on employment from the Project in Section 29.8;</li> <li>▪ The contribution to the development of low-carbon industries in each of the Study Areas is considered in Section 29.8;</li> <li>▪ The impacts on Gross Value Added (GVA) and employment include indirect/supply chain impacts, as considered in Section 29.8;</li> <li>▪ Impacts on demographics from transient workers and their implications are considered in Section 29.8;</li> <li>▪ Effects on tourism are considered in Section 29.8; and</li> <li>▪ Cumulative effects are considered in Section 29.9.</li> </ul> <p>The assessment concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction. The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms. The assessment has identified no significant impacts on social and community assets.</p> <p>The Applicant has also engaged with local schools in Lincolnshire, including attendance at the Careers Fair at John Spendluffe School, Lincolnshire (30 March 2023) and Future Fest at Peter Paine Performance Centre, Boston (5 July 2024) to promote employment opportunities within the offshore wind industry. Following consent, actions to ensure the skills and employment benefits that the Project can help deliver locally and nationally will be set out within the Supply Chain Plan required under the CfD supply chain process (Chapter 29 Socio-Economic Characteristics (APP-084)).</p>
	EN-1 5.13.5	Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	<p>A description of the existing socio-economic conditions and tourism activity is provided in the Baseline Environment section 29.4 of Chapter 29 (APP-084). The study area for the assessment considers three onshore study areas.</p> <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK</li> </ul> <p>East Lindsey Local Plan Core Strategy is considered as part of the Strategic baseline in Section 29.4.3</p>
	EN-1 5.13.6	Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	<p>Chapter 29 Socio-Economic Characteristics (APP-084) takes into account several other impacts and has been written alongside the following chapters, which are presented in Volume 1 of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 17: Seascape, Landscape and Visual (APP-072);</li> <li>▪ Chapter 18: Infrastructure and Other Marine Users (APP-073);</li> <li>▪ Chapter 25: Land Use (APP-080);</li> <li>▪ Chapter 26: Noise and Vibration (APP-081);</li> <li>▪ Chapter 27: Traffic and Transport (APP-082); and</li> </ul>

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			<ul style="list-style-type: none"> <li>Chapter 28: Landscape and Visual Assessment (APP-083).</li> </ul>
	EN-1 5.13.7	Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.	The Planning Inspectorate has concurred in their Scoping Opinion (Planning Inspectorate, 2022) that the Project can scope out demographic and service demand impacts within Chapter 29 Socio-Economic Characteristics (APP-084), including long term housing/accommodation, during the Operations and Maintenance (O&M) phase.
Mitigation	EN-1 5.13.8	The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising socio-economic impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>Minimising the disruption to populated areas; and</li> <li>The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Specific mitigation relating to socio-economic impacts are contained within Section 29.6 of Chapter 29 Socio-Economic Characteristics (APP-084). The chapter confirms that the Project will take a proactive approach to mitigation and enhancement measures to maximise the positive effects of the Project and minimise any negative effects that are identified. Negative socio-economic, tourism and recreational impacts associated with the construction of the Project will be a secondary effect of other identified environmental impacts, such as those identified in the other assessment chapter of the ES (APP-055).</p> <p>The Project will consider the following measures to maximise local economic benefit:</p> <ul style="list-style-type: none"> <li>Proactively engaging with local economic development stakeholders and industry groups to understand the capacity for local companies to be involved in the supply chain for the Project;</li> <li>Proactively supporting Tier 1 contractors to increase their local content;</li> <li>Working with local economic development stakeholders to identify any potential barriers to entry for this market and actively work towards removing these barriers</li> <li>Engaging at an early stage with education and training providers to identify potential skills gaps and opportunities for collaboration;</li> <li>Engaging with other developers in the area to improve opportunities for the local supply chain; and</li> <li>Including reporting requirements on the level of UK content as part of the tendering process for contracts.</li> </ul>
Secretary of State decision making	EN-1 5.13.9 – 5.13.12	<p>The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by The Applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).</p> <p>The Secretary of State should consider any relevant positive provisions The Applicant has made or is proposing to make to mitigate impacts (for example through planning</p>	<p>The assessment of socio-economic, tourism and recreation effects is provided in ES Chapter 29 Socio-Economic Characteristics (APP-084) and concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction.</p> <p>The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms.</p> <p>The assessment has identified no significant impacts on social and community assets.</p>

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		<p>obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.</p> <p>The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.</p>	<p>The draft DCO (APP-303), includes a Requirement for a skills, supply chain and employment plan. Requirement 30 (Skills, supply chain and employment) provides that prior to commencement of any stage of the onshore works, a skills, supply chain and employment plan in relation to that stage must be submitted to and approved by the relevant planning authority in consultation with Lincolnshire County Council. The plan to be submitted must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with that stage of the onshore works and the means for publicising such opportunities. The approved skills, supply chain and employment plan must be implemented as approved.</p>
<b>EN-1 Part 5.14: Traffic and Transport</b>			
Traffic and Transport	EN-1 5.14.1 – 5.14.3	<p>The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects.</p> <p>Environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution as well as greenhouse gas emissions.</p> <p>Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.</p> <p>The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.6 of this NPS.</p>	<p>The transport assessment within Chapter 27 Traffic and Transport (APP-082) considers onshore impacts. The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). This approach was subsequently presented and agreed upon through the ETG process.</p> <p>A quantitative and qualitative assessment of potential traffic and transport effects associated with worst-case construction activities was conducted using methods outlined in Guidelines on the Environmental Assessment of Traffic and Movement<sup>9</sup> (GEATM), Design Manual for Roads and Bridges<sup>10</sup> (DMRB), and professional judgment. The assessment considers several social, environmental and economic impacts as listed below:</p> <ul style="list-style-type: none"> <li>▪ Driver Severance and Delay;</li> <li>▪ Community Severance;</li> <li>▪ Vulnerable Road Users and Road Safety;</li> <li>▪ Pedestrian Amenity;</li> <li>▪ Abnormal Indivisible Loads (AILs); and</li> <li>▪ Users of Public Rights of Way (PRoW).</li> </ul> <p>Section 27.6.4 sets out the embedded and applied mitigation that will be required as part of the Project. The Outline Construction Traffic Management Plan (OCTMP) (APP-289) and Outline Travel Plan (OTP) (APP-290) provide details on how traffic would be managed. Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport.</p>
Applicant Assessment	EN-1 5.14.5 – 5.14.7	<p>If a project is likely to have significant transport implications, The Applicant’s ES (see Section 4.3) should include a transport appraisal. The DfT’s Transport Analysis Guidance (TAG) and Welsh Governments WeBTAG provides guidance on modelling and assessing the impacts of transport schemes.</p> <p>National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. and applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.</p>	<p>Consideration of the construction, and decommissioning phases of the Project are set out in Chapter 27 Traffic and Transport (APP-082).</p> <p>A transport appraisal is submitted as part of Chapter 27 Traffic and Transport (APP-082). The Traffic and Transport chapter and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout.</p> <p>Consultation regarding traffic and transport has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings. Traffic and Transport was covered by the Traffic &amp; Transport, Air Quality, Noise, Health and Socio-economics ETG which included Lincolnshire County Council and National Highways.</li> <li>▪ EIA scoping process (ODOW, 2022);</li> </ul>

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		<p>The Applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The Applicant should also provide details of proposed measures to improve access by active, public, and shared transport to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need for parking associated with the proposal;</li> <li>▪ contribute to decarbonisation of the transport network; and</li> <li>▪ improve user travel options by offering genuine modal choice.</li> </ul> <p>The assessment should also consider any possible disruption to services and infrastructure (such as road, rail, and airports).</p>	<ul style="list-style-type: none"> <li>▪ Bilateral engagement with relevant stakeholders;</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project’s consultation process with reference to technical considerations is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and summarised in Consultation Report (APP-032) with detail provided in Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052). Further information on the Project’s consultation phases can be found in Section 27.3 of ES Chapter 27 which summarises consultation with National Highways, Network Rail and Highways Authorities as appropriate on the assessment and mitigation.</p> <p>The mitigation section of ES Chapter 27 sets out the embedded and applied mitigation that will be required as part of the Project. The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The Outline Construction Traffic Management Plan (APP-289) and the Outline Travel Plan (APP-290) provides a framework for promoting and encouraging a reduction in private car usage during the construction phase of the Project..</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements.</p>
	EN-1 5.14.9 – 5.14.10	<p>If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision.</p> <p>Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.</p>	<p>Chapter 27 Traffic and Transport (APP-082) concludes that the impact on the transport infrastructure is considered to be at acceptable levels in light of the proposed additional mitigation which includes the Construction Travel Management Plan (APP-289) and the Public Access Management Plan (APP-291) and therefore no additional transport infrastructure is needed or proposed.</p>
Mitigation	EN-1 5.14.11- 5.14.12	<p>Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need to travel by consolidating trips,</li> <li>▪ locate development in areas already accessible by active travel and public transport,</li> <li>▪ provide opportunities for shared mobility,</li> <li>▪ re-mode by shifting travel to a sustainable mode that is more beneficial to the network,</li> <li>▪ retime travel outside of the known peak times,</li> <li>▪ reroute to use parts of the network that are less busy.</li> </ul> <p>If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable</p>	<p>The Outline Travel Plan (OTP) (APP-290) OTP will include demand management measures to be adopted.</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements. The strategy for access has selected routes that where possible, seek to reduce the impact of traffic upon local communities. Trenchless techniques will be used underneath the railway and key roads (this will be assessed based on the importance of the road and the impacts on driver delay and the feasibility of using open trenching with single lane closures).</p> <p>The Project has committed to the construction of a temporary haul road along each open trenched section of the onshore ECC, with distinct access points to reduce construction traffic on local roads. Prioritise the use of haul roads where practicable, to minimise construction vehicles on the highway network. In particular, using the haul road to form a by-pass so that HGVs can avoid Skegness.</p>

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		alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.	
	EN-1 5.14.13 – 5.14.14	<p>Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate.</p> <p>The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> <li>▪ control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements</li> <li>▪ make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid ‘overspill’ parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions</li> </ul> <p>ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.</p>	<p>The assessment of the increases in heavy goods vehicles (HGVs) associated with the construction phase of the Project is set out in Section 27.8 of Chapter 27 Traffic and Transport (APP-082). Welfare facilities including offices and canteen and washroom facilities will be provided within the Primary Construction Compounds (PCCs) and Secondary Construction compounds (SCCs).</p> <p>Any impacts of increases in HGVs are further reduced by the types of traffic management measures that would be implemented as set out in the Outline Construction Travel Management Plan (APP-289) and mitigation such as schemes of passing places that are proposed (Annex N of the Volume 3, Appendix 27.1 (APP-229) and therefore considered to be an acceptable impact.</p> <p>The Outline CTMP (APP-289) states that no parking will be permitted on public roads and that the appropriate authorities and emergency services will be consulted regarding HGV movements during the construction of the Project.</p> <p>Routing for HGV movements is being identified, as well as proposed working hours, to minimise the impact of the Project on the surrounding highway network as per Chapter 27 Traffic and Transport (APP-082) and the CTMP (APP-289)</p> <p>The need for any permits from relevant road and bridge authorities in relation to the transportation of AILs will be obtained in advance of construction, following assessment of routes.</p> <p>The draft DCO (document 3.1) includes Requirement 21 (Traffic) that no stage of the onshore works can commence until a construction traffic management plan (in accordance with the outline construction traffic management plan) and a travel plan (in accordance with the outline travel plan) in respect of that stage have been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority. The requirement requires that the plans are implemented on commencement of the relevant stage of the onshore works.</p> <p>In addition there are DCO Requirements controlling construction hours (Requirement 19 (Construction hours)), and more general construction measures within the Code of Construction Practice (Requirement 18 (Code of construction practice)).</p>
	EN-1 5.14.15 – 5.14.17	<p>The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.</p> <p>Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their application.</p> <p>If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation</p>	<p>Section 27.6.3 of Chapter 27 Traffic and Transport (APP-082) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project, such as the Outline TP (APP-290), which will include demand management measures to be adopted to advocate sustainable patterns of travel.</p> <p>The Applicant would endeavour to identify the closest port to the Study Area for the delivery of the abnormal indivisible loads (AILs) required for the Project to minimise the movement of these on the highway network. The delivery of Special Order AILs will be small in number. The delivery route is anticipated to be between Port Sutton Bridge and the OnSS location and Surfleet Marsh.</p>

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		by the Secretary of State of any obligations or requirements needed to secure the mitigation.	An assessment of the anticipated vehicle type that would be used to transport the AIL between Port Sutton Bridge and the OnSS location is provided in Annex A of Volume 3, Appendix 27.1 Transport Assessment (APP-218).
Secretary of State decision making	EN-1 5.14.18 – 5.14.19	<p>A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.</p> <p>Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below.</p>	<p>Chapter 27 Traffic and Transport (APP-082) has considered the potential traffic and transport effects arising from onshore activities associated with the Project. Consideration has been given to potential worst-case effects arising from onshore construction and decommissioning activities based upon available information. Worst-case parameters have been adopted to provide a robust assessment.</p> <p>The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). Based on the number of the Project construction vehicles forecast in the peak hours on the highway network in the study area, a formal assessment of impacts on the division of space and people by transport and traffic delay was scoped out.</p> <p>The implications of temporary lane or road closures associated with open trenching were evaluated in terms of driver severance and delay. The assessment found no significant effects outside of the summer months, except for Marsh Road, where a short-term closure would require careful planning and communication to the public but results in negligible residual effects.</p> <p>The assessment has considered impacts of increased daily construction vehicle movements associated with the Project. The outcome of the assessment revealed no significant effects on community severance, vulnerable road users and road safety, pedestrian amenity and from dust and dirt.</p> <p>The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>Additional commitments to mitigate impacts include the use of trenchless techniques (such as horizontal direction drilling) for the installation of the export cable under a number of roads, including the main ‘A’ roads in the study area, which would not require a temporary road or lane closure. The Project has further identified a number of highway improvements such as new passing places and other widening on the local construction vehicle access routes to facilitate the required construction vehicles.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.</p>
	EN-1 5.14.20	Development consent should not be withheld provided that The Applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be	As summarised in the response to NPS En-1 5.14.18 to 5.14.19 above, following the incorporation of mitigation measures proposed by the Applicant, no significant effects have been identified in relation to

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		imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure.	traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.
	EN-1 5.14.21	The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual Cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.	The assessment for Traffic and Transport assesses the potential impacts from the increase in vehicle movements, particularly during the construction period leading to driver delay and severance. Other impacts which have been assessed include the impacts upon users of public rights of way, vulnerable road users and road safety. The assessment shows there would not be unacceptable impacts on highway safety or severe residual Cumulative impacts on the road network, and proposals are included to promote public or shared transport within the Outline TP (APP-290),  Overall, it is considered that there will be no significant effect upon Transport and Traffic receptors.
<b>EN-1 Part 5.15: Resource and Waste Management</b>			
Resource and Waste Management	EN-1 5.15.1	Government policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible and disposal is required as a last resort, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health.	As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.  The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.
	EN-1 5.15.2	Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): <ul style="list-style-type: none"> <li>▪ prevention;</li> <li>▪ preparing for reuse</li> <li>▪ recycling</li> <li>▪ other recovery, including energy recovery</li> <li>▪ disposal</li> </ul>	All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).
	EN-1 5.15.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005  In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.  The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly
	EN-1 5.15.4	All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
Applicant Assessment	EN-1 5.15.6	Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.	The proposals do not relate to energy from waste for the treatment of municipal waste and so this paragraph does not apply to the Project.

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	EN-1 5.15.7 – 5.15.8	<p>The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level.</p> <p>The Applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.</p>	<p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p>
	EN-1 5.15.9	<p>The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p>	<p>Chapter 23 Geology and Ground Conditions (APP-078) includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. The approach to managing waste is set out within the Outline Code of Construction Practice and the SWMP (APP-274). which sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit for approval.</p> <p>A key element of the detailed SWMP will be to minimise the amount of waste disposal from site by aiming to reduce, reuse waste on site or recycle. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p>
	EN-1 5.15.10 5.15.11	<p>The Applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales' and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</p> <p>If The Applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process</p>	<p>The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project with respect to waste. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>As stated within Chapter 8: Marine Water and Sediment Quality (APP-063), whilst the Project is not a dredging project it does involve a proposal to dredge, drill and dispose of seabed sediments within the draft Order Limits. Regarding disposal, The Applicant has considered the need for disposal sites as part of the updated assessment presented in the ES. Dredged material will be deposited within an area of</p>

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			similar sediment characteristics, in close proximity to the dredge location in order to retain sediment within the sediment transport system.
	EN-1  5.15.12 – 5.15.13	<p>Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources, and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p> <p>Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p>	<p>The Applicant has committed to reusing materials wherever practicable, which includes the re-use of soils that will be secured within a Soil Management Plan (APP-271) that the Applicant has committed to producing.</p> <p>The Outline Site Waste Management Plan (APP-274) confirms that wastes will be categorised and managed appropriately, with all options for reusing or recycling on-site considered prior to pursuing any off-site possibilities for reuse, recycling or ultimately for final disposal. This will be achieved through regular reviews of waste generation with the aim of improving the rate of segregation and recycling to minimise the future requirement for disposal of wastes to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them). Adequate storage arrangements for waste local to the work areas will need to be in place to prevent uncontrolled collections of waste on site occurring during the day and a suitable frequency of transfer of any gathered wastes to the main waste management area shall be maintained by contractors to prevent windblown rubbish etc.</p>
Secretary of State decision making	EN-1 5.15.14	<p>The Secretary of State should consider the extent to which The Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development.</p> <p>The Secretary of State should be satisfied that:</p> <ul style="list-style-type: none"> <li>▪ any such waste will be properly managed, both on-site and off-site.</li> <li>▪ the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area.</li> </ul> <p>adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome</p>	<p>As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).</p> <p>Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005</p> <p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage</p>

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			<p>requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p> <p>In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.</p>
	EN-1 5.15.16 – 5.15.17	Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The draft DCO (APP-303), includes Requirement 18 (Code of construction practice) which provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. This includes a site waste management plan (which accords with the outline site waste management plan). The code of construction practice must be implemented as approved.
	EN-1 5.15.18	Where the Project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
	EN-1 5.15.19	The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023.	The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project which includes consideration of waste reduction targets and resource efficiency.
<b>EN-1 Part 5.16: Water Quality and Resources</b>			
Water Quality and Resources	EN-1 5.16.1 – 5.16.2	<p>Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters.</p> <p>During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.</p>	<p>Potential impacts upon water quality and resources are considered in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) contains the assessment of the potential impacts of the Project on marine physical processes.</p> <p>The conclusions drawn from the three assessments are that there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>The Project has committed a range of mitigation measures to reduce impacts. Offshore measures include, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out.</p> <p>Onshore measures include obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, and adherence to a Pollution Prevention and Emergency Incident Response Plan.</p>
Applicant Assessment	EN-1 5.16.3	Where the Project is likely to have effects on the water environment, the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	

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			An onshore and offshore WFD assessment has been produced in Volume 3, Appendix 8.1: Water Framework Directive (APP-153) that will mitigate any adverse effects on the water environment and present any enhancement measures.
	EN-1 5.16.4	The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.	Consultation regarding water quality and resources has been included within the Marine Ecology, Processes and Derogation and Compensation and Onshore Ecology, Hydrology and Ground Conditions ETGs. Consultation has been undertaken and as part of the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032). European Protected Species Licensing (EPSL) is anticipated to be required for water vole, badger and GCN. The Applicant is in the process of pursuing Letters of No Impediment (LoNI) with Natural England which will subsequently be submitted to the ExA.
	EN-1 5.16.5	Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g., from car parks or other areas of hard standing, during operation.	The management of surface water relates to the onshore environment and is considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079), this is supported by a Groundwater Risk Assessment (GWRA) (APP-210).
	EN-1 5.16.6	Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones - this could include, for example, the use of protective barriers.	The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (: APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.  Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.  By incorporating these commitments no significant effects have been identified in relation to surface water quality
	EN-1 5.16.7	The ES should in particular describe: <ul style="list-style-type: none"> <li>▪ the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;</li> <li>▪ existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance;</li> <li>▪ existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics;</li> </ul>	A description of the Baseline (existing) water quality conditions is provided in Chapter 8 Marine Water and Sediment Quality (APP-063).  Descriptions of the baseline environment are provided in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) provides a baseline description with regard to marine physical processes.  In addition, the Chapters provide: <ul style="list-style-type: none"> <li>▪ the potential environmental effects on water quality arising from the Project, based on the information gathered and the analysis and assessments undertaken to date and assess whether they are significant (in EIA terms);</li> <li>▪ any assumptions and limitations encountered in compiling the environmental information;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions;</li> <li>▪ how climate change could impact any of the above in the future; any cumulative effects</li> </ul>	<ul style="list-style-type: none"> <li>▪ any necessary monitoring and/or mitigation measures which could prevent, minimise, reduce, or offset the possible environmental effects identified at the relevant stage in the EIA process; and</li> <li>▪ Cumulative effects.</li> </ul> <p>The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).</p> <p>There will be no proposed changes or new discharges as a result of the Project. A full WFD assessment supports the DCO application, detailing the impacts on coastal and transitional waterbodies and protected areas under WFD. Potential changes to the physical environment, including hydrodynamics, waves and sediment pathways, are presented in an assessment of the physical characteristics is presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>The Baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) has been provided within: Chapter 24 Hydrology and Flood Risk (APP-079).</p>
Mitigation	EN-1 5.16.8	The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the Project application. A construction management plan may help codify mitigation at that stage.	<p>An Outline CoCP (APP-268) will be submitted as part of the DCO application. The Outline CoCP will include measures to control the potential impacts to water quality within environmental management plans that will be included within the suite of CoCP documents.</p> <p>The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.</p> <p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>With regard to water quality within the marine environment, the Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out</p>
	EN-1 5.16.9	The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	<p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>An outline Project Environment Management Plan (APP-277) is also being submitted with the DCO Application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice for offshore works.</p>

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			Therefore, deterioration to the current status of the water bodies is not anticipated and as such the Project can be considered to be in accordance with paragraph 5.16.9 of EN-1
	EN-1 5.16.10	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. If a development needs new water infrastructure, significant supplies or impacts other water supplies, the Applicant should consult with the local water company and the EA or NRW.	The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).
Secretary of State decision making	EN-1 5.16.11	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.	<p>Chapter 8 Marine Water and Sediment Quality (APP-063) confirms there are no offshore outfalls or discharges associated with the Project. However, an outline Project Environment Management Plan (APP-277) will be submitted with the DCO application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice.</p> <p>Temporary management of surface water will be required along the onshore ECC and at the OnSS during construction. An Outline Surface Water Drainage Strategy (: APP-273) has been provided as part of the Outline CoCP (APP-268). A final surface water drainage scheme will be informed by detailed design and provided as part of the final CoCP for approval by local authorities prior to construction which forms a requirement of the DCO.</p> <p>Surface water flowing into work areas and excavated trenches during the construction period will be pumped via settling tanks or ponds to remove sediment and potential contaminants, before being discharged into local ditches or drains via temporary interceptor drains. Where gradients on site are significant, cable trenches will include a hydraulic brake (bentonite or natural clay seals) to reduce flow rates along trenches and hence reduce local erosion.</p> <p>No discharge to Main River watercourses will occur without permission from Environment Agency (SuDS Manual) and no discharge to IDB maintained watercourses will occur without permission from the relevant IDB.</p>
	EN-1 5.16.12	The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	<p>The assessment of sensitivity for environmental receptors takes into consideration RBMPs and WFD status (Table 24.17) of Chapter 24 Hydrology and Flood Risk (APP-079). The chapter concludes there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>A WFD compliance assessment within Appendix 8.1: Water Framework Directive (APP-153) has also been provided to support the DCO application which provides a comprehensive assessment of the implications for WFD waterbodies.</p>
	EN-1 – 5.16.13	The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government’s Environmental Improvement Plan 2023.	<p>The Project meets the Government’s Environmental Improvement Plan by:</p> <ul style="list-style-type: none"> <li>▪ contributing significantly towards the UK’s current cumulative electricity supply deployment target for 2030, enough for approximately 500,000 households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions.</li> <li>▪ maximising resources and minimises waste.</li> <li>▪ Not causing harm to habitats identified as being of importance for the conservation of biodiversity and enhancing where possible.</li> <li>▪ Protecting water quality.</li> </ul>
	EN-1 5.16.14 - 15.16.15	The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good	WFD classifications and objectives are taken into account within Chapter 24 Hydrology and Flood Risk (APP-079). The WFD water bodies are considered receptors and are assessed against: Existing environment and Environmental assessment during construction, O&M, and decommissioning phase. A WFD Assessment is provided within Appendix 8.1: WFD (APP-153) and presents the findings of the WFD compliance assessment for the potential impacts of the Project. The purpose of this WFD compliance assessment is to demonstrate that the proposed activities associated with the Project do not result in a

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		<p>status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.</p> <p>The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans.</p>	<p>deterioration in a designated water body (or protected area) and do not jeopardise the attainment of good status (or the potential to achieve good ecological and chemical status). The assessment concludes there will be no adverse effects on the integrity of designated sites, No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>
	EN-1 5.16.16	<p>The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the Applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary</p>	<p>A standalone WFD Compliance Assessment is presented within Appendix 8.1: WFD (APP-153). Mitigation measures are presented in Section 8.5.4, and include a Project Environmental Management Plan (PEMP), Cable Specification and Installation Plan (CSIP), measures to control Invasive Non Native Species as offshore mitigation. Onshore mitigation include the CoCP, pre-construction approvals, PPEIRP, and surface water management plans The draft DCO sets out proposed requirements to secure the management plans.</p> <p>No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>

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<b>EN-1 Part 3: The need for new nationally significant energy infrastructure projects</b>			
<b>EN-1 Part 3.1: Introduction</b>			
Introduction	EN-1 3.1.1 – 3.1.2	<p>This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers the need for such infrastructure to be urgent.</p> <p>However as acknowledged within the NPS it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.</p>	<p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030.</p> <p>The Project would include up to 100 wind turbine generators (WTGs), which will be located approximately 54km off the coast of Lincolnshire, England, and create enough energy each year to power hundreds of thousands of homes. The Project will create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The accompanying ES, outlined in the Non Technical summary(APP-055), describes any likely significant effects and how the Applicant intends to avoid, prevent and reduce these where possible. However, as noted in Section 3.1.2 of EN-1 , it is not possible to develop the necessary amounts of infrastructure without some significant residual adverse impacts.</p>
<b>EN-1 Part 3.2: Secretary of State decision making</b>			
	EN-1 3.2.1	The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and Nationally Determined Contributions.	<p>Section 5 of the Planning Statement (APP-297) outlines the established need for the Project with reference to paragraphs that support such development within EN-1. The Project would deliver up to 1.5 gigawatts (GW) of offshore wind which would support the government objective of increasing supply of renewable energy.</p> <p>Paragraph 3.3.21 of EN-1 states the UK Government has an ambition to deliver up to 50 GW of offshore wind by 2030 and in this policy context, the Project would make a substantial contribution towards meeting national renewable (wind) energy targets and should be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments.</p> <p>As such, the Project accords with national energy targets and is supportive of the Government’s objectives for the energy system. The Project represents an excellent opportunity to deliver both clean energy and to meet government targets.</p>
	EN-1 3.2.2	We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	The Project will support the Government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. This is because the Project is an offshore wind farm which will support the delivery of national renewable energy. The type of energy this Project will provide (wind) is expected to play a key role in supplying renewable energy by 2050.
	EN-1 3.2.3	It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government. This is the nature of a market-based energy system. With the exception of new coal or large-scale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the Government’s ambitions in energy policy and other policy areas.	<p>Section 5 of the Planning Statement (APP-297) outlines how the Project is in line with the Government’s ambitions for the energy system.</p> <p>Paragraphs 3.3.20- 3.3.24 of NPS EN-1 show there will be a major reliance on wind (and solar) to deliver renewable energy targets to meet national demand, and the Project will play a significant role in contributing towards meeting these targets. The NPS make it clear that there is an established need for the Project and substantial emphasis should be placed on this need by the SoS.</p>
	EN-1 3.2.6	The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 includes offshore generation that does not involve fossil fuel combustion within the definition of low carbon infrastructure.

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	EN-1 3.2.7	In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.	The need for the Project is further set out in Section 5 of the Planning Statement (APP-297).  As such, the Project is considered to accord with the provisions set out in the NPS.
	EN-1 3.2.9	This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.	The Project is covered by section 15 of the Planning Act 2008 (2008 Act). This document together with the Planning Statement confirms how the policies within this NPS and the relevant technology specific NPSs have been complied with in respect of the Project.
	EN-1 3.2.10	Other novel technologies or processes may emerge during the life of this NPS and can help deliver our energy objectives. Where these contribute towards the objectives set out in paragraph 3.2.1, the Secretary of State should determine that there is a need for such technologies and that substantial weight should be given to this need.	
<b>EN-1 Part 3.3: The need for new nationally significant energy infrastructure projects— Meeting energy security and carbon reduction objectives</b>			
The need for new nationally significant electricity infrastructure	EN-1 3.3.1	Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), the Project will deliver up to 100 WTGs with a capacity of approximately 1.5 GW and make a substantial contribution to meeting the demand for greater energy produced from renewable sources, whilst mitigating unexpected risks to the UK's energy system. The wider effects of the Project upon climate change are discussed within ES Chapter 31: Climate Change (APP-086).
	EN-1 3.3.2	The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases the overall costs of the system.	The Project will support the government's objective to achieve 50GW of offshore wind by 2030. This figure was revised upward from 40GW to 50GW in the April 2022 UK Government Energy Security Strategy (BESS) which is a key aspect of the UK Government's commitment to support essential services, and the business sector, in the wake of the global pandemic.  The Project will make a substantial contribution in meeting this demand for offshore wind energy. Through the delivery of up to 100 WTGS, the project will have a capacity of approximately 1.5GW as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057).  The Planning Statement (APP-297) outlines that there is an established urgent need for developments like the Project which are considered a CNP.
	EN-1 3.3.3	To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610- 800TWh in 2050.	As noted in the responses to the paragraph 3.2.1 and 3.2.2 of the NPS above, the Project is in accordance with the NPS and a substantial emphasis should be placed on this need by the Secretary of State (SoS). As stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project will deliver up to 100 WTGS and have a capacity of approximately 1.5GW which will make a substantial contribution in meeting the government's ambition of increasing supply from renewable sources to meet increasing demands on the UK's electricity system.
The need for different types of electricity infrastructure	EN-1 3.3.4— 3.3.7	There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation.  New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply.	The Project will support the government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. As outlined within both the Planning Statement (APP-297) and ES Chapter 2: Need, Policy and Legislative Context (APP-057), the government is seeking to meet the future increasing demand through several types of renewable sources, and the Government regards offshore wind farms, like the Project as a key mechanism to achieving this target.  Therefore, there is an established need for the Project which will provide up to 100 WTG, with a capacity of approximately 1.5GW and make a makes a substantial contribution to the UK's renewable energy and energy security targets.

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		<p>Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure. However, neither of these technologies, as with demand side response, are sufficient to meet the anticipated increase in total demand, and so cannot fully replace the need for new generating capacity.</p> <p>Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other. However, they are a means of transporting electricity rather than generating or storing it, so cannot replace those other types of electricity infrastructure in meeting the substantial increase in demand expected over the coming decades.</p>	
Alternatives to new electricity infrastructure.	EN-1 3.3.8 – 3.3.12	<p>The government has considered alternatives to the need for new large-scale electricity infrastructure and concluded that these would be limited to reducing total demand for electricity through efficiency measures or through greater use of low carbon hydrogen in decarbonising the economy; reducing maximum demand through demand side response; and increasing the contribution of decentralised and smaller-scale electricity infrastructure. In addition, there are alternative ways of decarbonising heating and transportation, which are being developed alongside electrification of these sectors. Reducing total demand for energy is a key element of the government’s strategy for meeting its energy objectives and we expect that increased energy efficiency measures could lead to a reduction in final energy demand from around 1550 TWh in 2019 to around 1000 TWh in 2050. However, even with a reduction in final energy demand the share of electricity in the system is likely to increase, potentially more than doubling by 2050 (see paragraph 3.3.3).</p> <p>The precise level of electricity demand during the transition to net zero is uncertain and could be affected by alternative means of decarbonising these sectors, such as the use of low carbon hydrogen, and the pace of that decarbonisation. However, it is prudent to plan on a conservative basis to ensure that there is sufficient supply of electricity to meet demand across a wide range of future scenarios, including where the use of hydrogen is limited.</p> <p>Demand side response, such as the use of thermal stores and smart charging of electric vehicles, can shift electricity demand, reducing the maximum amount of electricity required and therefore reduce the need for additional infrastructure. However, it cannot increase the total amount of electricity generated in the UK, or reduce the total amount of electricity consumed, and so cannot fully replace the need for new generating capacity to deliver our energy objectives.</p> <p>Decentralised and community energy systems such as micro-generation contribute to our targets on reducing carbon emissions and increasing energy security. These technologies could also lead to some reduction in demand on the main generation and transmission system. However, the government does not believe they will replace the need for new large-scale electricity infrastructure to meet our energy objectives. This is because connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of</p>	<p>While it is clear that reducing demand for energy is a key Government strategy, it is noted that even by reducing this demand, the share of electricity in the system is likely to increase (potentially more than double). The Project will contribute to ensuring that there is a sufficient supply of electricity to meet demand.</p> <p>The Project would contribute to the delivery of the 30 GW of renewable energy envisaged in NPS EN-1 and the ambition to deliver 40 GW of offshore wind by 2030 as set out in the UK Government’s 2021 announcement, a figure which as noted within the Planning Statement (APP-297) was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement.</p>

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		power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere.	
Delivering affordable decarbonisation	EN-1 3.3.16	If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.	As per the responses to the NPS provisions at paragraph 3.2.1 and 3.2.2, The Project will have a capacity of approximately 1.5GW and make a substantial contribution to the delivery of renewable energy and consequently will strengthen the national energy system. Moreover, as discussed within ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) the Government cites offshore wind farms, like the Project, as key mechanisms to facilitating a transition to net zero.
	EN-1 3.3.19	Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.	As stated in the response to the NPS provisions made at paragraph 3.3.2, wind energy will play a central role in the transition towards renewable energy supply nationally, supporting net zero ambitions. .
The role of wind and solar	EN-1 3.3.20 – 3.3.21	Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar. As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50GW of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade.	The Project will have an overall capacity of approximately 1.5GW and will contribute towards meeting the government's target to deliver 50GW of offshore wind by 2030 and meet the objectives of the British Energy Security Strategy. As the Project will have a capacity in excess of 100MW it is defined as a Nationally Significant Infrastructure Project (NSIP) and the Applicant has submitted an application to the SoS for a Development Consent Order (DCO).
	EN-1 3.3.22 and 3.3.24	However it is recognised that ensuring affordable system reliability, today and in the future, means wind and solar need to be complemented with technologies which supply electricity, or reduce demand, when the wind is not blowing, or the sun does not shine.  Applications for offshore wind above 100MW or solar above 50MW in England, or 350MW for either in Wales, will continue to be defined as NSIPs, requiring consent from the Secretary of State (see EN-3).	
The need for electricity generating capacity	EN-1 3.3.58	Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	The project is a new, large scale renewable energy NSIP project that falls within the scope of NPS EN-1. The Project would help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1
	3.3.59	All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: <ul style="list-style-type: none"> <li>▪ providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type)</li> <li>▪ providing an affordable, reliable system (through the deployment of technologies with complementary characteristics)</li> </ul> ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology)	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), offshore wind developments like the Project are critical in providing a secure, reliable, affordable, net zero consistent system by 2050.  The Project would contribute to the delivery of the 50 GW of offshore wind renewable energy envisaged in the NPS EN1 as set out in the UK Government's 2022 Energy Security Statement announcement; a figure which is noted within the Planning Statement (APP-297). The Project will make a substantial contribution in achieving the government's energy objectives through the delivery of up to 100 WTGs and a capacity of approximately 1.5GW.  Furthermore, through the delivery of the above infrastructure and generating capacity, the Project will contribute to increasing national energy security. ES Chapter 31: Climate Change (APP-086) confirms that the Project will assist the UK in reducing greenhouse gas (GHG) emissions and the trajectory to net zero by 2050.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1  3.3.60 – 3.3.62	<p>Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include:</p> <ul style="list-style-type: none"> <li>▪ Offshore Wind (including floating wind)</li> <li>▪ Solar PV</li> <li>▪ Wave</li> <li>▪ Tidal Range</li> <li>▪ Tidal Stream</li> <li>▪ Pumped Hydro</li> <li>▪ Energy from Waste (including ACTs) with or without CCS</li> <li>▪ Biomass with or without CCS</li> <li>▪ Natural Gas with or without CCS</li> <li>▪ Low carbon hydrogen</li> <li>▪ Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants</li> <li>▪ Geothermal</li> </ul> <p>The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above.</p> <p>Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.</p>	<p>The Project is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. The Project meets the thresholds set out in the 2008 Act and is classified as an NSIP and as set out in paragraph 4.2.5 the Project is classified as low carbon infrastructure, therefore the Project is CNP infrastructure.</p>
	EN-1  3.3.63	<p>Subject to any legal requirements, the urgent need for CNP Infrastructure to achieve our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>▪ Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were the Project not to be developed.</li> <li>▪ Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>▪ Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>▪ Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>In terms of adverse impacts, these are discussed across the ES (APP-055). The ES has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the Project.</p> <p>Through the Habitats Regulation Assessments (HRA) process designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>Overall, the RIAA (APP-235) concludes that the Project would not undermine any of the conservation objectives for the designated sites and features. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the RIAA. As set out in the derogation case and the RIAA, the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p> <p>As demonstrated throughout the ES (APP-055), the RIAA (APP-235) and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS.</p>
The need for new electricity networks	EN-1 3.3.82 – 3.3.83	<p>The Government has committed to reduce GHG emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand.</p> <p>Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.</p>	<p>It is clear from the UK Energy White Paper that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This is reflected in the British Energy Security Strategy published in April 2022 where targets for offshore wind farm were extended to 50GW by 2023. As noted within Section 5 of the Planning Statement (APP-297), the Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise and security of supply throughout its operational life, thereby addressing important aspects of the UK’s legal obligations and Government policy.</p>

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<b>EN-1 Part 4: Assessment Principles</b>			
EN-1 Part 4.1: Assessment Principles			
General Policies and Considerations	EN-1 4.1.2 – 4.1.4	<p>The Energy White Paper and British Energy Security Strategy emphasises the importance of the government’s net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs.</p> <p>Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.</p> <p>The presumption is also subject to the provisions of the Planning Act 2008 referred to in paragraph 1.1.4 of this NPS.</p>	<p>The Project meets the requirements of the relevant NPSs therefore the presumption in favour of granting consent to energy NSIPs should apply given the urgent need for this type of infrastructure. This is because the Project will deliver up to 100 WTGS and will have a capacity of approximately 1.5GW, as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057). Moreover, as outlined within the Planning Statement (APP-297), the government cites offshore wind farms, like the Project as critical mechanisms in supporting the nation in transitioning to net zero.</p> <p>The Planning Statement (APP-297) together with this document demonstrates that the Project accords with the relevant policies of the NPS and there are no specific policies that clearly indicate consent should be refused.</p>
Weighing impacts and benefits	EN-1 4.1.5	<p>In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:</p> <ul style="list-style-type: none"> <li>▪ its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits;</li> <li>▪ its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.</li> </ul>	<p>The Planning Statement (APP-297) sets out the planning balance for the Project drawing together the benefits of the scheme (as summarised above) and the assessment of potential adverse effects. The Planning Statement concludes that the Project would bring significant benefits and it is not considered that there are any adverse effects which outweigh the benefits of the Project, and as such would be in accordance with the NPS and should therefore be consented.</p> <p>The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055). The ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration.</p>
	EN-1 4.1.6	<p>In this context, the SoS should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1).</p>	<p>Sections 6 and 7 of The Planning Statement (APP-297) set out the planning balance for the Project drawing together the benefits of the scheme and the assessment of potential adverse impacts. It concludes that the Project would bring significant benefits, would be in accordance with the NPS, Marine Plans and Local Policy and should therefore be consented.</p> <p>When taking into account the evidence presented in the Planning Statement (APP-297) and this Policy Compliance Document, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with both national and local planning policy.</p>
	EN-1 4.1.7	<p>Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure. Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary, to ensure there are no significant and cumulative effects as a result of the application.</p>

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		Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.	The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055) which sets out how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS
Land Rights	EN-1  4.1.8 – 4.1.9	Where the use of land at a specific location is required to facilitate the development by providing for mitigation, and landscape enhancement, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land.  The SoS will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.	<p>The Applicant has sought to enter into voluntary agreements for all of the land and rights required to facilitate the Project. The status of negotiations is shown in Appendix 4 of the Statement of Reasons (APP-031).</p> <p>Compulsory acquisition powers are being sought to facilitate the development. Further details of the Project's need for, and approach to, compulsory acquisition are set out in the Statement of Reasons (APP-031).</p> <p>The Statement of Reasons (APP-031) has been prepared in accordance with the provisions of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the 2009 Regulations').</p> <p>This Statement is required to support the Application because the draft DCO (APP-303), if made would authorise the compulsory acquisition of interests or rights in land. The DCO would also confer on the Applicant the additional powers below:</p> <ul style="list-style-type: none"> <li>▪ extinguishment of private rights over land;</li> <li>▪ acquisition of subsoil only;</li> <li>▪ rights under or over streets;</li> <li>▪ imposition of restrictive covenants;</li> <li>▪ temporary use of land for carrying out the authorised development; and</li> <li>▪ temporary use of land for maintaining the authorised development.</li> </ul> <p>The Statement of Reasons (APP-031) forms part of the suite of documents submitted with the application for a DCO. The Statement should be read in conjunction with the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant, including:</p> <ul style="list-style-type: none"> <li>▪ Draft Development Consent Order (APP-303);</li> <li>▪ Explanatory Memorandum (APP-304);</li> <li>▪ Land Plans (including Onshore Crown and Special Category Land Plans) (APP-009, APP-010, APP-011);</li> <li>▪ Works Plans (onshore) (APP-005);</li> <li>▪ Funding Statement (APP-026)</li> <li>▪ Book of Reference (APP-025));</li> </ul> <p>The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out within the Statement of Reasons. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the DCO to secure the land and interests which are required for the Project. The public benefit of allowing the Project to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.</p>

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			Landscaping is required to screen the OnSS due to the flat reclaimed nature of the landscape. The purpose of this planting is to mitigate effects on landscape character and visual amenity. This has the added benefit of providing enhanced biodiversity as set out in the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).
Other documents	EN-1 4.1.10 – 4.1.12	<p>The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the “benchmark” for what is, or is not, an acceptable nationally significant energy development).</p> <p>The energy NPSs have taken account of the NPPF, the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate.</p> <p>Other matters that the SoS may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.</p>	<p>The Project has considered the NPS within the Planning Statement (APP-297) and this Policy Compliance Document. The Project is supported by the NPSs.</p> <p>Specific national, regional and local legalisation, policy and guidance are assessed in each topic chapter across the ES (APP-055). This document provides an overview of how the project responds to relevant legalisation at the national, regional and local levels, with the following documents assessed in aforementioned tables:</p> <ul style="list-style-type: none"> <li>▪ Marine Policy Statement (MPS) (2011)</li> <li>▪ National Planning Policy Framework (NPPF) (2023)</li> <li>▪ National Planning Practice Guidance</li> <li>▪ East Lindsey Local Plan Core Strategy 2016-2031 (Adopted July 2018)</li> <li>▪ South East Lincolnshire Local Plan 2011-2036 (Adopted March 2019)</li> </ul> <p>Further information regarding relevant legalisation at the national, regional and local levels is considered within Section 4.5 of the Planning Statement (APP-297).</p>
Development consent	EN-1 4.1.16 – 4.1.17	<p>The SoS should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p> <p>The SoS should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.</p>	<p>The draft DCO (APP-303) sets out the requirements that are considered as necessary, relevant to planning and all technical disciplines, such that the Project will comply with all requirements during all phases of the Project.</p> <p>The Applicant also volunteered for the Project to be part of the NSIP Reform Early Adopters Programme (EAP) which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions.</p>
	EN-1 4.1.18	<p>The SoS may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.</p>	<p>The Applicant recognises that there may be a need for certain planning obligations, as set out in the NPS. The Applicant will submit any such proposed planning obligation to the ExA and/or SoS for consideration before the close of the examination.</p>
Early engagement	EN-1 4.1.19 – 4.1.20	<p>Early engagement both before and at the formal pre-application stage between the Applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government’s pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the ExA and leading to a clear recommendation report to the SoS.</p> <p>This is particularly so in the case of Habitats Regulations Assessment (HRA) matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the Applicant</p>	<p>Stakeholder consultation and engagement have played a fundamental role in shaping the Project. A comprehensive account of all consultation undertaken to assist in the development of the Project is included within the Consultation Report (APP-032). Consultation is also detailed within Chapter 6 Technical Consultation (APP-061).</p> <p>The Applicant has volunteered for the Project to be part of the NSIP Reform EAP which facilitated the use of multiparty meetings during the pre-application stages.</p> <p>Stakeholder engagement primarily took place under the Evidence Plan Process (EPP), as documented in Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provided a useful stakeholder engagement approach on key elements and outcomes of the PEIR process</p>

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		to submit sufficient information to enable the SoS to conduct an Appropriate Assessment if required.	<p>which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes documented in the Consultation Report (APP-032).</p> <p>The Applicant has engaged in post-scoping, pre-application consultation with both statutory and non-statutory consultees (This is further set out in Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149), which includes further details of the series of regular consultation meetings held with key stakeholders on technical matters),</p> <p>In June 2023 the Applicant published a Preliminary Environmental Information Report (PEIR) in the format of a draft ES that formed the basis of the Application information submitted for statutory consultation under Sections 42 and 47 of the Planning Act 2008. This consultation period was open for 46 days between 7<sup>th</sup> June 2023 and 21 July 2023. Consultation feedback received has been carefully considered as the project design has been finalised and the documentation has been updated to form the final ES that accompanies the DCO (including deemed marine licence) application.</p> <p>The Applicant has prepared the ES on the basis of information submitted for statutory consultation under Sections 42, 47 and 48 of the 2008 Act.</p> <p>The consultation process described above informed several design/project changes. Table 1.1 within the Consultation report (APP--032), summarises onshore Project Refinement and key Consultation Feedback in relation to design elements.</p> <p>Refinements to the offshore Project parameters were not a central focus of the public consultation carried out under Section 47 of the 2008 Act but addressed by a number of statutory consultees both through bilateral engagement, the EPP and consultation carried out under Section 42.</p> <p>The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application. Full details of consultation on HRA and Compensation is set out in the Evidence Plan Report (APP-052).</p>
Financial and technical viability	EN-1 4.1.21- 4.1.22	<p>In deciding to bring forward a proposal for infrastructure development, the Applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions.</p> <p>Where the SoS considers that the financial viability and technical feasibility of the proposal has been properly assessed by the Applicant, it is unlikely to be of relevance in SoS decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).</p>	<p>The Applicant (GTR4 Ltd) is a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development. Each of these companies bring a demonstrable track record of delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty.</p> <p>The Compulsory Acquisition Funding Statement (APP-026) and Compensation Funding Statement (APP-264) confirm that the Applicant is confident that the Project will be commercially viable based on the assessments it has undertaken. As such the SoS can conclude with confidence that the financial and technical feasibility of the Project is assured, and therefore it is considered that the Project is in accordance with paragraph 4.1.22 of EN-1.</p>
<b>EN-1 Part 4.2: The critical national priority for low carbon infrastructure</b>			
The critical national priority for low carbon infrastructure	EN – 1 4.2.1 - 4.2.3	Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology.	The Project would contribute to decarbonising the power system by 2035, supporting 2050 net zero ambitions through the development of up to 100 WTG with a generating capacity of approximately 1.5GW .ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) provide commentary on the Government's ambition to increase supply of energy from renewable sources

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		<p>Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK’s strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.</p> <p>With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.</p>	<p>and the need for offshore wind farms, like the Project, as a key mechanism in supporting the transition towards net zero and supporting a shift away from fossils fuels.</p> <p>Regarding the references made to smart and strategic planning in Paragraph 4.2.3, The Project has been the subject of an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This process was conducted to ensure the Project makes the greatest possible contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information provided within ES Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>In terms of high environmental standards, as outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project has been developed in accordance with relevant legislation, policy and guidance. In addition, in assessing the impacts of the Project, due regard to topic-specific legislation, policy, guidance has been considered in each ES chapter.</p>
	EN – 1 4.2.4 - 4.2.6	<p>The Government has therefore concluded that there is a CNP for the provision of nationally significant low carbon infrastructure.</p> <p>This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means:</p> <ul style="list-style-type: none"> <li>▪ for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready;</li> <li>▪ for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System;</li> <li>▪ for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution;</li> <li>▪ for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore; and</li> <li>▪ Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects.</li> </ul> <p>The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in</p>	<p>Offshore wind has been defined by Government as being a CNP and therefore the Project constitutes CNP infrastructure as outlined within the response to paragraph 3.3.62 and the Planning Statement (APP-297). The Government has highlighted that there is an urgent need for CNP Infrastructure to achieving energy objectives, together with the national security, economic, commercial, and net zero benefits.</p> <p>The Project would contribute towards decarbonising the power system by 2035 supporting 2050 net zero ambitions and providing the CNP required urgently to meet these aspirations.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.	
	EN – 1  4.2.7	The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the Project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the ExA when it is making its recommendation to the SoS.	<p>The Project has followed the statutory regulations in assessing the impacts of the Project within the ES as outlined within ES Chapter 1: Introduction (APP-056) and ES Chapter 2: Need, Policy and Legislative Context (APP-057).</p> <p>The ES (APP-055) provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics.</p> <p>Whilst the Project may lead to temporary significant adverse effects during multiple phases of the development this is balanced against the significant benefit of the Project in the delivery of renewable energy. Additionally any long term effects of the Project will be mitigated as far as reasonable practicable. For example, Chapter 28 Landscape and Visual Assessment(APP-083) sets out that landscape and onshore visual effects can be mitigated through planting .</p>
	EN-1 4.2.8	During decision making, the CNP policy will influence how non-HRA and non-Marine Conservation Zone (MCZ) residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2.	<p>Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the application.</p> <p>As demonstrated throughout the ES (APP-055), and Planning Statement (APP-297), the Applicant has shown how any non-HRA and MCZ likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES and Planning Statement, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project . It has been demonstrated that the Project is in accordance with the NPS.</p>
	EN-1 4.2.9	During decision making, the CNP policy also explains the Secretary of State’s approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and imperative reasons of overriding public interest (IROPI) tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.	<p>The Project is classified as CNP infrastructure. The Applicant considers that any anticipated impacts as a result of the Project and as reported in the Environmental Statement (APP-055) are clearly outweighed by the benefits. This is shown in Section 6.4 of the Planning Statement (APP-297) which provides an overview of how the Project has been developed in accordance with CNP policy including guidance relating to HRA derogations and MCZ assessments.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p>

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			<p>The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ assessment (APP-157) supports the DCO and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>As demonstrated within the ES (APP-032), the RIAA (APP-235), the MCZ assessment (APP-157), and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects relating to HRA or MCZ would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken into consideration. It has been demonstrated that the Project is in accordance with the NPS and does not introduce an impediment to the policies considered within any other NPS.</p>
Applicants Assessment	EN – 1 4.2.10	Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.	<p>The Project has considered this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, as illustrated in the Planning Statement (APP-297).</p> <p>The ES (APP-055) and Report to Inform Appropriate Assessment (RIAA) (APP-235) provide a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics. The ES and RIAA also show how any likely significant negative effects would be avoided, reduced, mitigated or compensated in accordance with the mitigation hierarchy.</p>
	4.2.12	Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.	<p>The ES sections and tables in the ‘Summary of Effects’ sections within the receptor chapters in the ES (APP-055) are structured to distinguish between the construction, operation, decommissioning and reinstatement (where relevant) phases of the Project, with proposals for compensation and monitoring proposed where appropriate.</p> <p>The ES Chapters also include consideration of the potential for cumulative effects to occur as a result of multiple developments. The approach to the Cumulative Effects Assessment (CEA) has taken account of the advice provided in The Planning Inspectorate’s Advice Note Seventeen (Cumulative Effects</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Assessment Relevant to Nationally Significant Infrastructure Projects) (The Planning Inspectorate, 2019) and has considered other projects, plans and activities on a tiered basis (relating to certainty of implementation and accuracy of the available information)
	4.2.13	Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.	<p>Please see the Applicant’s response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features. The documents submitted as part of the Applicant’s derogation case are set out below (APP-243 – APP-264):</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ TCE Kittiwake Strategic Compensation Plan (APP-260);</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>
Secretary of State decision making	EN-1 4.2.14	The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant’s assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.	<p>As described above, the Applicant’s assessment, both EIA as set out in the ES (APP-055) and HRA as set out in the RIAA (APP-235) demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant tests under the NPSs and other legislation and policy have been met.</p> <p>The Project’s application of the mitigation hierarchy and compensation where required has minimised negative impacts.</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance.</p> <p>The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>• Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</li> <li>• Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>• Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>• Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>As outlined throughout the ES, alongside its pertinent environmental benefits through the delivery of clean and affordable energy, the Project will also deliver significant social and economic benefits. As described in both the Planning Statement (APP-297) and Chapter 29: Socio-Economic Characteristics (APP-084), the development of offshore wind projects, like this Project, will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base.</p>
Non-HRA—and non-MCZ residual impacts of CNP Infrastructure	EN-1 4.2.15— 4.2.16	<p>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.</p> <p>As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.</p>	<p>An ES (APP-055) supports the DCO application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of the Planning Statement (APP-297) , the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
	EN-1 4.2.17	<p>This means that the SoS will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</p> <ul style="list-style-type: none"> <li>where development within a Green Belt requires very special circumstances to justify development;</li> <li>where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs;</li> <li>where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and</li> </ul> <p>where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.</p>	<p>No elements of the Project are situated within areas having the highest status of protection (National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs)). No part of the Project falls within Green Belt land. In addition, there are no landscape designations within the LVIA Study Area. There will, therefore, be no significant effects on landscape designations as they lie beyond the distance within which there is potential for significant effects to arise. Full details are set out in Chapter 28 Landscape and Visual Impact Assessment (APP-083).</p> <p>There will be no direct impact to any subtidal or Intertidal SSSI features as identified in Chapter 9: Benthic and Intertidal Ecology (APP-064).</p> <p>As set out in ES Chapter 21: Onshore Ecology (APP-076), there will be no direct impact to onshore SSSIs as the onshore Order Limits have been designed to avoid designated sites. Indirect impacts are considered within ES Chapter 21: Onshore Ecology (APP-076), Chapter 24 Hydrology and Flood Risk Assessment (APP-079) and Chapter 19 Air Quality (APP-074) which conclude indirect impacts as a result of effects arising from water quality, dust emissions, road traffic emissions and emissions from temporary construction non-road mobile machinery (NRMM), are considered not significant in EIA terms.</p> <p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Chapter 13 Marine and Intertidal Archaeology , Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Chapter 13: Marine and Intertidal Archaeology (APP-068). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068). Substantial harm has not been concluded.</p>

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			<p>The assessment presented in Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Chapter 20 confirms that no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term. No designated archaeological remains would be physically affected by the Project and mitigation is proposed whereby there would be no residual significant impacts to non-designated archaeological remains. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.</p>
<p>HRA derogations and MCZ assessments for CNP Infrastructure</p>	<p>EN-1 4.2.18— 4.2.20</p>	<p>Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively.</p> <p>Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</p> <p>Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.</p>	<p>A MCZ Assessment has been provided as an appendix to Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). The MCZ assessment has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>With regards to the HRA and MCZ there are no LSE with the exception of (in-combination) effects at the Flamborough and Filey Coast (FFC) Special Protection Area (SPA).</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Consultation has taken place through the Scoping process, EPP, and through statutory consultation meetings. In particular, the Applicant has engaged with Natural England (NE) for any compensation measures.</p> <p>The Applicant has concluded that the Project on its own will not have an Adverse Effect on Integrity (AEol) on any of the designated sites and features identified through screening. There is a potential risk of AEol in relation to the kittiwake feature of the Flamborough and Filey Coast SPA when the Project is considered in-combination with other plans, projects and activities. As such, the Applicant has submitted a Derogation Case (APP-242). The Applicant maintains that there will be no AEol on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only. Further information on the assessment of adverse effect on integrity (AEol) can be found in the RIAA.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The Derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEol cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p>
	<p>EN-1 4.2.21</p>	<p>For both derogations, the SoS will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:</p>	<p>As set out above in the Applicant’s response to paragraph 4.2.9, the derogation case is presented as part of the HRA in Derogation Case (APP-242) which explains the need for the Project, that there are no alternatives to achieve the Project objectives and that there is an IROPI in the Project coming forward.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and</p> <p>are capable of amounting to IROPI for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.</p>	
	EN-1 4.2.22	<p>For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.</p>	<p>Please see the Applicant's response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of 'without prejudice' compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ Assessment is presented in Volume 3, Chapter 9 Benthic and Intertidal Ecology Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). No impacts have been identified.</p>
<b>EN-1 Part 4.3: Environmental Principles</b>			
Environmental Effects/ Considerations	EN-1 4.3.1 – 4.3.3	<p>All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the Project.</p> <p>The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.</p> <p>The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the Project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.</p>	<p>An ES (APP-055) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022).</p> <p>The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for the Project is in accordance with paragraph 4.3.1-4.3.3 of EN-1.</p> <p>Regarding the topics outlined in Paragraph 4.3.2 of EN-1, no significant residual effects have been identified as confirmed in the Sections and Chapters below which set out several mitigation measures:</p> <p><b>Human Health</b></p> <ul style="list-style-type: none"> <li>ES Chapter 30: Human Health (APP-085) - A number of mitigations across the different topics chapters apply to human health and major disasters including the Outline Construction Traffic Management Plan (APP-289), Outline Noise and Vibration Management Plan (APP-269) and Outline Code of Construction Practice (APP-268) to reduce the impacts of the works on human health.</li> </ul> <p><b>Biodiversity (onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 4: Onshore Ecology (APP-059) - The Project has made a number of commitments to reduce impacts on onshore ecological receptors. Most notably, the adoption of trenchless techniques at 216 separate sites along the onshore ECC and 400kV cable corridor to avoid impacts to major river and watercourses, priority habitats and designated sites. The Project has also been designed to avoid all ponds and woodland and reduce the need for severance of linear habitat features as much as possible. An Outline Landscape and Ecological Management Strategy (OLEMS) has been produced which presents the mitigation measures that will be undertaken to</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>manage the potential impacts to onshore ecological receptors. With measures in place the project will result in no significant effect for any of the impacts.</p> <ul style="list-style-type: none"> <li>ES Chapter 22: Onshore Ornithology (APP-077) - Potential harm to birds, is mitigated through a Construction Method Statement (CMS) and pre-works surveys, ensuring protection for nesting birds and preventing significant harm. Disturbance to protected bird species, is mitigated through seasonal restrictions and localised working commitments to minimise disruption to specific bird populations. Water and air quality are both managed through detailed assessments and embedded mitigation measures in the Pollution Prevention Emergency Incident Response Plan (PPEIRP) and Air Quality Management Plan (AQMP).</li> </ul> <p><b>Biodiversity (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 9: Benthic Subtidal and Intertidal Ecology (APP-064) - Mitigation strategies, including micro siting of infrastructure where possible to avoid areas of Annex 1 reef, have been adopted. Within the SAC, the Project has also committed to removable cable protection, should cable burial not be possible. An initial Cable Burial Risk Assessment has been undertaken. A further Cable Burial Risk Assessment will also inform cable burial as part of a Cable Specification and Installation Plan which will be developed for approval by the MMO prior to construction. To minimise the risk of pollution, a Project Environmental Management Plan will be produced; this will also be used to reduce the risk of invasive species. The Project design has also been refined to include trenchless cable installation (HDD) to remove impacts at the coast.</li> <li>ES Chapter 10: Fish and Shellfish Ecology (APP-065) - Mitigation measures include the development of a Cable Specification and Installation Plan (CSIP) to minimise habitat loss. Additionally, the implementation of a piling Marine Mammal Mitigation Protocol (MMMP) which details measure that will be implemented by the Project to limit the underwater noise levels to reduce the risk of auditory injury to negligible levels. Whilst the implementation of a MMMP is not aimed at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. To minimise the risk of pollution, a Project Environmental Management Plan will be produced which will also be used to reduce the risk of invasive species.</li> <li>ES Chapter 11: Marine Mammals (APP-066) – Mitigation measures have been committed to by the Project, such as the use of maximum hammer energies (6,600kJ for monopiles, 3,500kJ for pin-pile), soft start and ramp up procedures for piling, and a maximum of two piling events occurring simultaneously. Additionally, a Marine Mammal Mitigation Protocol (MMMP) for both piling and Unexploded Ordnance (UXO) clearance will be developed and implemented, to reduce the risk of auditory injury to negligible levels. A vessel management plan will also be developed, to reduce any collisions and minimise disturbance.</li> <li>ES Chapter 12: Offshore and Intertidal Ornithology (APP-067) - Mitigation measures and changes to the Project design have been adopted by the Project to minimise impacts on IOFs, such as adapting the array footprint to avoid important seabird habitat and raising the minimum tip height of the blades to 40m relative to mean sea level (MSL). A number of other mitigation measures have been proposed by way of compensation strategies for kittiwake, guillemot and razorbill species.</li> </ul> <p><b>Land Use and soil</b></p> <ul style="list-style-type: none"> <li>ES Chapter 25 Land Use (APP-080) - Mitigation includes the Code of Construction Practice (APP-268), the Outline Soil Management Plan (SMP) (APP-271) to manage soil effectively during stripping, handling and reinstating and the Outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP) (APP-272) which includes measures to prevent pollution incidents</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Water (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 24 Hydrology, Hydrogeology and Flood Risk (APP-079) - The Project has made a number of commitments to minimise and reduce the risk to hydrology, hydrogeology and flood risk including obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, preparation of a Flood Management Response Plan and adherence to the PPEIRP. By incorporating these commitments no significant effects have been identified in relation to hydrology, hydrogeology and flood risk.</li> </ul> <p><b>Water (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 8: Marine Water and Sediment Quality (APP-063) - The Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application), which will be submitted to the MMO for approval prior to works being carried out.</li> </ul> <p><b>Air Quality</b></p> <ul style="list-style-type: none"> <li>ES Chapter 19: Air Quality (APP-074) - there are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</li> </ul> <p><b>Climate Change</b></p> <ul style="list-style-type: none"> <li>ES Chapter 31 Climate Change (APP-086) - The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</li> </ul> <p><b>Landscape (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 21 Landscape and Visual Assessment (APP-076) - The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</li> </ul> <p><b>Landscape (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 17: Seascape Landscape and Visual Impact Assessment (APP-072) - For Seascape and Landscape impacts have been mitigated as far as practical through the Project design which has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline.. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Material assets and cultural heritage (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) - Mitigation includes the project design to prevent or reduce potential impacts on Archaeology and Cultural Heritage receptors include implementation of an agreed programme of archaeological investigation work during construction to ensure that any heritage assets are identified and recorded. An outline version of the Onshore Written Scheme of Investigation has been provided with the application (APP-283).</li> </ul> <p><b>Material assets and cultural heritage (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 13: Marine and Intertidal Archaeology (APP-068) - The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and micro sited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</li> </ul> <p>As such, the Project is considered to accord with the provisions set out within the NPS.</p>
	EN-1  4.3.4	To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.	<p>An ES has been submitted for the Project which undertakes a thorough assessment including environmental, social and economic receptors.</p> <p>The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. The topics referred to in Paragraph 4.3.4 of EN-1, are assessed in the following ES Chapters:</p> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul> <p><b>Equality</b></p> <ul style="list-style-type: none"> <li>Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Biodiversity Net Gain</b></p> <p>A Biodiversity Net Gain Project Principles and Approach Statement (APP-302) has been prepared and submitted alongside the ES. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Applicant is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284) . A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design and in order to comply with the BNG statutory requirements for NSIPs (anticipated in November in 2025). Biodiversity gain calculations, using the Statutory Biodiversity Gain Metric, would be incorporated into a Biodiversity Gain Final Design Report.</p> <p><b>Community Cohesion</b></p> <ul style="list-style-type: none"> <li>ES Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Health and well-being</b></p> <ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> <li>▪ ES Chapter 27 Traffic and Transport (APP-082)</li> <li>▪ ES Chapter 19 Onshore Air Quality (APP-074)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>Where necessary, the ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy and in order to demonstrate how this will be achieved a number of outline management plans are submitted with the application.</p>
	EN-1 4.3.5 – 4.3.7	For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project. Where the NPSs use the term ‘environment’ they are referring to both the natural and historic environments. In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.	<p>The ES topic specific chapters (APP-071 to APP-086) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the Project during the pre-construction, construction, operation and decommissioning phases. These have been prepared in accordance with the Scoping Opinion and Scoping Report included as appendices to the Consultation Report (APP-032) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation , Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Both the natural and historic environments have been considered. The predicted effects at each of the Project stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. As such it is considered that the ES for the Project is in accordance with paragraph 4.3.5 – 4.3.7 of EN-1</p>
	EN-1 4.3.8 – 4.3.9	In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms ‘effects’, ‘impacts’ or ‘benefits’ should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits.  As in any planning case, the relevance or otherwise to the decisionmaking process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and HRA sites.	<p>The Application, in particular the ES (APP-055) has used the requirements and terminology set out within paragraphs 4.3.8-4.3.9 of EN-1.</p> <p>The Application has also adhered to legislative requirements, with further information detailed within Chapter 2 Need, Policy and Legislative Context (APP-057).</p> <p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
Applicant assessment	EN-1 4.3.10 – 4.3.11	The Applicant must provide information proportionate to the scale of the Project, ensuring the information is sufficient to meet the requirements of the EIA Regulations.  In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, The Applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	<p>The level of detail provided is proportionate to the scale of the Project. Section 1.5 of ES Chapter 5: EIA Methodology (APP-060) provides a description of the proportionate approach to environmental assessment that has been used in the production of the ES. Information has been prepared in accordance with the Scoping Opinion and Report (APP-034 and APP-035) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Where full details cannot be provided, the Applicant has explained in the Application which elements of the proposal have yet to be finalised, and the reasons why this is the case. The design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters.</p>
	EN-1	Where some details are still to be finalised, the ES should, to the best of the applicant’s knowledge, assess the likely worst-case environmental, social and economic effects of	To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered, and the ‘Maximum Design Scenario’ (MDS) (known as the ‘Rochdale Envelope’

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	4.3.12 – 4.3.13	<p>the proposed development to ensure that the impacts of the Project as it may be constructed have been properly assessed.</p> <p>To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the Project on the likely significant environmental, social, and economic effects.</p>	<p>approach) has been presented and assessed for each parameter. This approach allows for the assessment of the worst-case impacts specific to each chapter topic. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. Therefore, each chapter will assess the 'realistic worst-case' scenario (WCS) for each of the identified potential impacts, Further information is provided in Section 1.4 of ES Chapter 5: EIA Methodology (APP-060)</p> <p>Within the ES, a range of parameters for each aspect of the Project are defined and the MDS for each receptor and/or impact is identified and considered for assessment. Consultation has also been a key part of the Project, which includes the publication of the Project scoping report and four pre-application phases. The consultation process has followed statutory guidance and has facilitated the identification of matters that have directly led to design changes and commitments. Further information can be found within the Consultation Report (APP-032) and summarised in Chapter 3: Project Description (APP-058).</p> <p>This approach is particularly advantageous for large-scale developments involving complex engineering and multi-year development programmes (including offshore wind) where it is not possible to identify the exact components to be used within the final development, as it provides for flexibility in design and construction and allows for developments in technology to be implemented, provided they are within maximum extents and ranges assessed within the EIA. This is of particular relevance to offshore wind development, where the technology is constantly improving, with larger and more efficient turbines being developed.</p> <p>The use of existing data and site-specific survey has enabled an adequate characterisation of the receiving environment to enable a robust assessment to be undertaken against a realistic worst-case 'Rochdale Envelope' approach to project design. Post-consent, further survey work including Site Investigation (SI) will be required to inform the final detailed design preconstruction.</p>
	EN-1  4.3.15 – 4.3.17	<p>Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility.</p> <p>In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</p> <p>Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.</p>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Chapter 4 provides a description of the site selection process and the approach undertaken by the Applicant to refine the design of the Project. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p> <p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul>
Secretary of State decision making	EN-1 4.3.18 – 4.3.19	The SoS should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	<p>To allow the SoS to consider the worst-case impacts, the design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the ‘realistic worst-case’ scenario for each of the identified potential impacts, referred to as the MDS which considers the likely worst cast environmental, social and economic effects.</p> <p>In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and decommissioning phases of the onshore and offshore aspects of the Project have been considered across the specific ES chapters.</p> <p>The EIA Regulations require a consideration of cumulative effects, which is to say that the overall impact of the Project must be considered together with the impact of other proposed developments in the area. Cumulative effects are assessed and reported within each topic chapter of the ES.</p> <p>Across the ES, inter-related effects for the Project have been considered for both onshore and offshore matters. No significant inter-related effects arising as a result of the Project have been identified.</p>
	EN-1 4.3.20	The Government has set 13 legally binding targets for England under the Environment Act 2021, covering the areas of: biodiversity; air quality; water; resource efficiency and waste reduction; tree and woodland cover; and Marine Protected Areas (MPAs). Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery. The Secretary of State have regard to the ambitions, goals and targets set out in the Government’s Environmental Improvement Plan 2023 for improving the natural environment and heritage. This includes having regard to the achievement of statutory targets set under the Environment Act.	<p>Across the ES (APP-055) relevant legislation and guidance including the Environment Act 2021 have been considered in the assessment of different topic areas like biodiversity and air quality. In addition, such legislation has also been considered in the design of the Project, to ensure the proposed infrastructure is compliant (see additional information within Chapter 2: Need, Policy and Legislative Context (APP-057))</p> <p>The Applicant is also committed to maintaining and enhancing biodiversity as a result of the Project. This is realised within the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, as well as areas outside of the Order Limits. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance.</p> <p>In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-294). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 4.3.22	Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives were taken forward for consultation as appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; only alternatives that can meet the objectives of the proposed development need to be considered.</li> </ul>	<p>This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p>
	EN-1  4.3.23 – 4.3.24	<p>The SoS should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.</p> <p>The SoS should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.</p>	<p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p> <ul style="list-style-type: none"> <li>Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul> <p>Alternatives were identified as early as possible and the site selection process and alternatives considered have been through detailed analysis of environmental, social, and engineering constraints, with key feasible alternatives taken forward for consultation either through the Scoping process, the Evidence Plan, or specific evidence plan meetings.</p>
	EN-1  4.3.25 – 4.3.28	<p>Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the SoS thinks they are both important and relevant to the decision.</p> <p>As the SoS must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the SoS concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the SoS’s decision.</p> <p>Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p> <p>Alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
	EN-1  4.3.29	<p>It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the SoS (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect The Applicant to have assessed it.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
<b>EN-1 Part 4.4. Health</b>			
Health	EN-1  4.4.1-4.4.3	<p>Energy infrastructure has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people’s health.</p> <p>The direct impacts on health may include</p> <ul style="list-style-type: none"> <li>increased traffic</li> <li>air or water pollution</li> <li>dust, odour</li> <li>hazardous waste and substances</li> </ul>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES.</p> <p>Specifically, impacts to human health are assessed within Chapter 30 Human Health (APP-085). Chapter 30 concludes that the main drivers of potential human health effect are the construction process and the associated construction traffic. These activities may lead to increased noise levels, dust and emissions. However, a combination of embedded mitigation (described in this chapter) and additional mitigation (detailed in the relevant technical chapters) can be used to control these impacts to an acceptable level (not significant in EIA terms).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ Noise</li> <li>▪ exposure to radiation, and</li> <li>▪ increases in pests</li> </ul> <p>New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity.</p>	<p>Mitigation measures are included within the OCoCP (APP-268) to be secured as a requirement of the DCO.</p> <p>In light of the above it is considered that the ES for the Project is in accordance with 4.4.1 -4.4.3 of NPS EN-1</p>
Applicant assessment	EN-1 4.4.4 – 4.4.6	<p>As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the Project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society, and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to wider society as a whole.</p>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to human health are assessed within ES Chapter 30 Human Health (APP-085). As noted in the response to EN-1 4.4.1 -4.4.3 above, this assessment finds that for the general population there would be no significant (in EIA terms) effect on human health as a result of the Project.</p> <p>The Project has made a number of commitments during the construction and operational phases of the project to reduce and minimise the impacts to human health which are secured through the Outline Code of Construction Practice (APP-268), Outline Noise and Vibration Management Plan (APP-269), Outline Air Quality Management Plan (APP-270), and the outline onshore archaeological WSI (APP-283).</p> <p>Through consideration of potential impacts to human health, including cumulative assessment, and the provision of mitigation, it is considered that the ES for the Project is in accordance with 4.4.4 -4.4.8 of NPS EN-1</p>
Secretary of state decision making	EN-1 4.4.7 - 4.4.8	<p>Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008.</p> <p>However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.</p>	
<b>EN-1 Part 4.5: Marine Considerations</b>			
Marine Considerations	EN-1 4.5.1	<p>The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide.</p>	<p>The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development.</p> <p>The marine plans and MPS have been considered in developing the application for consents for the Project.</p> <p>In particular the Government's Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.5.2 – 4.5.3	<p>Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations.</p> <p>The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.</p>	<p>In particular the Government’s Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>
	EN-1 4.5.5 – 4.5.6	<p>The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on MPAs, including applying the mitigation hierarchy and using strategic approaches. The guidance will not extend to waters where the devolved administrations have competence for managing MPAs.</p> <p>A dML can be granted as part of the DCO and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and OSSs. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea.</p>	<p>Further guidance is expected from Defra on approaches to more strategic options associated with the mitigation hierarchy, in particular with regards to derogation and compensatory measures. This work is also supported by groups such the Collaboration on Offshore Wind Strategic Compensation (COWSC) which is working to develop measures which can be applied if compensation is required, particularly if a more strategic approach is required.</p> <p>A draft DCO is submitted as part of the Application which identifies requirements that may be applied to the Project, and also incorporates deemed marine licences that would otherwise be required under the Marine and Coastal Access Act 2009, and which identify conditions that may be applied to the Project.</p> <p>The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p>
	EN-1 4.5.7	<p>Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their DCO application.</p>	
Applicant assessment	EN-1 4.5.8	<p>Applicants for a DCO must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent.</p>	<p>The marine plans and MPS have been considered in developing the application for consents for the Project. The Government’s Marine Plans have been considered within the establishment of the baseline environment, set out in Chapter 18 Marine Infrastructure and Other Users (APP-073 ). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p>
	EN-1 4.5.9	<p>Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.</p>	
Secretary of State decision making	EN-1 4.5.10 – 4.5.12	<p>Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a DCO where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas.</p> <p>In making a decision, the SoS is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.</p>	<p>A summary of the potential environmental effects is identified and approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning are set out in each of the offshore ES Chapters.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO as has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 4.6: Environmental and Biodiversity Net Gain (BNG)			
Environmental and Biodiversity Net Gain	EN-1 4.6.1 – 4.6.2	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. BNG is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver BNG.	A Biodiversity Net Gain Report Principles and Approach (APP-302) has been prepared which outlines the commitment of the Project to providing BNG and identifies the onsite and offsite opportunities being proposed/investigated. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. An initial BNG appraisal is included within the Biodiversity Net Gain Report Principles and Approach (APP-302). In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (APP-284). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.  Opportunities for environmental enhancement are also discussed in the Design Principles Statement (APP-293).
	EN-1 4.6.3	Currently BNG policy in England only applies to terrestrial and Intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by Government who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future.	Projects, or components of projects, in the marine environment are not currently included within the scope of the mandatory requirements for biodiversity net gain and are not considered in relevant ES reports.
Applicant Assessment	EN-1 4.6.6-4.6.8	Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. In England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity Baseline and present planned BNG outcomes. This calculation data should be presented in full as part of their application. Where possible, this data should be shared alongside a completed biodiversity metric calculation, with the Local Authority and NE for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). This document is being updated with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric) and will be submitted to the ExA.
	EN-1 4.6.10 – 4.6.12	BNG should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. BNG can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of BNG to be set out within the application for development consent. When delivering BNG off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies, or strategies to use.	The mitigation hierarchy has been applied in the EIA in the first instance to address the potential effects of the Project. An outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) has also been submitted as part of the application which sets out in-principle measures designed to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources arising from the onshore elements of the Project. The purpose of the OLEMS is to: <ul style="list-style-type: none"> <li>▪ Set out the key measures to avoid, reduce, mitigate, or compensate for potential impacts on landscape and biodiversity resources, that may be required prior to, during and post construction (where applicable);</li> <li>▪ Provide an outline of the management required to ensure that both created and enhanced habitats achieve target condition, and that populations of species are maintained at favourable conservation status; and</li> <li>▪ Ensure compliance with the relevant legislation relating to ecology.</li> </ul> An Biodiversity Net Gain Report Principles and Approach (APP-302) was submitted as part of the DCO Application. This document presents the initial findings of the provisional Biodiversity Net Gain (BNG) assessment and presents the Project's principles and approach to BNG in respect of proposed onshore

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>aspects of the Project, outlining the Applicant’s ambition to deliver BNG and demonstrating their work to date in relation to both onsite and offsite opportunities, alongside an inclusion of a baseline assessment calculation. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284).</p> <p>This document is being updated to account for further progress made by the Applicant and with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric). This update, alongside any future iterations of the report or metric in response to new or developed opportunities that arise during the examination phase will be submitted to the ExA. Where relevant, an updated OLEMS will also be submitted to secure BNG commitments made.</p> <p>Detailed design is likely to see the maximum design scenario reduced as efficiencies in delivery cost, schedule and electrical transmission are accounted for in detail. The detailed design scenario will therefore be used to determine a more accurate estimation of the Project’s BNG.</p>
	EN-1 4.6.13	<p>In addition to delivering BNG, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as reductions in GHG emissions, reduced flood risk, improvements to air or water quality, climate adaptation, landscape enhancement, increased access to natural greenspace, or the enhancement, expansion or provision of trees and woodlands. The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.</p>	<p>In addition to possible BNG benefits, the Project will deliver a number of other environmental enhancements, including contributing towards meeting GHG targets at the local-national scales. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>Landscape enhancement is captured in the captured in an outline Landscape and Ecological Management Strategy (OLEMS) (APP-284), as is mitigation, which sets out several principles for the loss priority habitats and impacts on protected species, whilst also delivering positive biodiversity impacts. Further information on Local Area benefits is provided in Section 2.3 of the Design Approach Document (APP-292).</p>
	EN-1 4.6.14	<p>The Environment Act 2021 mandated the preparation of LNRs across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government’s 25 Year Environment Plan.</p>	<p>With regards to LNRs, these are not yet currently available. Currently, the Greater Lincolnshire LNR is in its early stages of project planning and organisation. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRs should be in place across the whole of England.</p>
	EN-1 4.6.15	<p>Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the Project.</p>	<p>An ES (APP-055 -APP-234) accompanies the application which, alongside the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) and Biodiversity Net Gain Report Principles and Approach (APP-302), sets out potential opportunities for net gain that are being explored by the Applicant.</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Further commentary of the Project's approach to biodiversity can be found within the Biodiversity Net Gain Report Principles and Approach (APP-302),</p> <p>Additional information on how the Project has adopted good design principles can also be found within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), which outlines that the Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts.</p> <p>Consideration of good design principles is also provided in the Design Approach Document (APP-292) and Design Principles Statement (APP-293)</p>
	EN-1 4.6.16	Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', the governments guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.	<p>The policy, legislation and guidance that has informed the assessment relating to natural capital assets and ecosystems services is outlined within ES Chapter 21 Onshore Ecology (APP-076) and includes:</p> <ul style="list-style-type: none"> <li>▪ Conservation of Habitats and Species Regulations 2017</li> <li>▪ Wildlife and Countryside Act 1981</li> <li>▪ Environment Act 2021</li> <li>▪ Natural Environment &amp; Rural Communities Act 2006</li> <li>▪ Biodiversity Metric 4.0 calculator and User Guide (Natural England, 2021)</li> <li>▪ 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2'. (CIEEM, 2022).</li> </ul>
	EN-1 4.6.17	Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	<p>The Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design.</p> <p>The ES also sets out the alternatives considered and explains the main reasons for the choice between alternative.</p> <p>ES Chapter 5 Environmental Impact Assessment Methodology (APP-060) describes the site-specific details of the stages of the design iteration from inception through to the current point of ES DCO submission where environmental considerations were a key factor in decision making.</p> <p>Where appropriate, as concluded within the Planning Statement (APP-297) compensation has been set out to ensure there is no significant residual environmental effects.</p>
	EN-1 4.6.18	Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.	The opportunities outlined in Part 5 of this NPS have been considered in the development of the Project. Throughout the ES (APP-055) opportunities for environmental, social, and economic enhancements, protection and mitigation measure have been set out. Mitigation is outlined in the Schedule of Mitigation (APP-287).
Secretary of State Decision Making	EN-1 4.6.1	Although achieving BNG is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for DCO unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.	The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before.
	EN-1	The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within	The Applicant is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.

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	4.6.2 – 4.6.3	<p>an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.</p> <p>The SoS should give appropriate weight to environmental and BNG, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p>	
EN-1 Part 4.7: Criteria for “good design” for energy infrastructure			
Criteria for good design for Energy Infrastructure	EN-1 4.7.1	<p>The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted such that the aesthetic appearance of the infrastructure elements does not detract from landscape quality.</p> <p>Opportunities for making final design decisions early are limited by the need to retain flexibility across several parameters including WTG numbers, size, and location through the planning stages and the need to assess worst-case environmental effects has been conducted as a result throughout the ES.</p> <p>However, where practically possible, the Applicant has proposed mitigation measures to enhance landscape quality as outlined within Chapter 28: Landscape and Visual Assessment (APP-083). This includes positive ecological enhancement proposals within the OLEMS (APP-284) which provides for the incorporation of screening proposals that form part of a proposed approach to enhancement of biodiversity.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>
	EN-1 4.7.2 - 4.7.4	<p>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</p> <p>Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.</p>	<p>“Good design” has been at the forefront of decision making throughout the evolution of the Project; strongly influencing site selection and the design commitments and principles which the Applicant has been able to reach at this stage. The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Project was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects.</p> <p>The siting of the Project’s landfall, onshore ECC and OnSS have incorporated design considerations from the outset. The Project took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and</p>

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		<p>Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.</p>	<p>onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into the following driving principles:</p> <ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve the Project’s purpose.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Project taken on board the feedback from stakeholders and the local communities to deliver the Project in best possible way.</li> <li>▪ Sense of Place – how the Project can create a distinctive place that delivers beneficial spatial outcomes for the local community.</li> </ul> <p>The Project has been the subject of an iterative design and site selection process, across these stages principles of good design have been applied. The Applicant has adopted several modern construction and sustainable design practices, which are described within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This includes committing to burying all onshore cables as opposed to using overhead lines to minimise landscape effects and committed to using trenchless technologies where possible, to avoid compromising existing sea defences, help protect sensitive receptors and minimise the extent of direct interaction with coastal features. As an example, the commitment to undertake approximately 216 trenchless crossings has also meant the Applicant has managed to avoid the removal of up to 17,280m of hedgerows along the Onshore ECC and 400kV cable corridor</p> <p>Principles of good design as a way to mitigate adverse impacts of have been considered at the early stages of the Project.</p> <p>Further commentary can also be found within Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052)</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>
Applicant Assessment	EN-1 4.7.5	<p>To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.</p>	<p>Section 5.3 of the DAD confirms that the Applicant has appointed a Design Champion in accordance with the NPS. The Design Champion will be accountable for delivering coherent good design and holds the project team to account in terms of a macro vision of design. The Design Champion will guide and champion an iterative design process to test the best way of achieving the design principles as set out in the DAD where further detail on the Design Champion Role is also provided. Section 5.4 of the DAD confirms the Project has committed to a Local Design Panel as well as an External Design Review of the OnSS, alongside further information on external design review approach.</p> <p>Design decisions in terms of the Project’s infrastructure and location are set out within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This chapter shows how design principles have been established from the outset of the Project to guide the development from conception to operation.</p> <p>Further design considerations of relevance to the onshore and offshore design are set out in Chapter 3 Project Description (APP-058).</p> <p>Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the OnSS is outlined within the OLEMS (APP-284).</p>

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			<p>The Project's approach to good design- (taking fully into account the policy requirements) is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293).</p> <p>As such, in so far as practicable, it is considered that the Project is in accordance with paragraph 4.7.5.</p>
	<p>EN-1 4.7.6 – 4.7.9</p>	<p>Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform, and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.</p> <p>Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.</p> <p>Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.</p> <p>Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.</p>	<p>The Applicant has considered their approach to the design of each of the offshore and onshore elements in a holistic way. This is detailed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The chapter considers each offshore and onshore design element, its relationship to the other elements of the design as well as the consultation responses received to inform their optioneering works and ultimately refine the Project design to the Order limits.</p> <p>The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. . Embedded environmental measures that address Seascape, Landscape and Visual effects are presented in Chapter 17 Seascape, Landscape and Visual (APP-062) and measures that address onshore landscape and visual effects are presented in Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>For the onshore infrastructure, a key design choice made at the start of the Project was to install cables underground, rather than using overhead lines, to convey electricity from Landfall to the OnSS. Further consideration has been had when proposing laying of cables, identifying potential reinstatement measures and enhancements for the surrounding area.</p> <p>The OnSS does lead to some visual effects, however these are not considered significant past 15 years (as assessed in ES Chapter 28: Landscape and Visual Assessment (APP-083)). Impacts have been minimised as far as practical during the site selection process. The OnSS will be located in an area where significant effects are not avoidable, and as such proposals for additional screening and planting are set out in Design Principles Statement (APP-293), which would provide mitigation and enhancements to the local area and reduce the significance of effect in the long term and incrementally during the initial period of planting establishment.</p> <p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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Secretary of State decision making	EN-1 4.7.10 – 4.7.11	<p>In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.</p> <p>In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.</p>	<p>As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The proposal as presented is both sustainable and functional. For example, Table 3.1 of the Design Principles Statement (APP-293), sets out the design principles that are to be adopted, categorised in line with the four design principles to guide the planning and delivery of major infrastructure as set out in ‘Design Principles for National Infrastructure’ (National Infrastructure Commission, February 2020), namely Climate, People, Place and Value. The table sets out how design principles such as safety, functionality, visual impact and environmental mitigation will be considered in the design of the OnSS.</p> <p>The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the Project objectives.</p> <p>Further design considerations relating to functionality, sustainability and aesthetics are set out in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p> <p>Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284). The ES takes into account climate change and natural hazards.</p> <p>With regards to offshore design, the Project is being designed in so far as reasonably practicable to apply good design, siting WTGs in an area that seeks to reduce visual effects, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements, such as reducing WTG height or altering colour are not considered feasible due to the flexibility needed to account for due to uncertainty in unforeseen technological advances (as recognised in NPS EN-3) or due to other considerations, such as operational safety, which requires the WTGs to be appropriately marked and painted to comply with navigational safety requirements.</p>
	EN-1 4.7.12 – 4.7.15	<p>In considering applications, the SoS should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. The SoS should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period.</p> <p>The SoS should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects.</p>	<p>Safety of the public and operatives is an overriding principle that must be given the highest priority when making every design decision. The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the project objectives.</p> <p>The ES chapters scoped into the Project assess all operational phase impacts as occurring throughout the operational lifetime of the Project, rather than a shorter time period.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Further advice on what the SoS should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.	
EN-1 Part 4.10: Climate Change Adaptation and Resilience			
Climate Change Adaptation and Resilience	EN-1 4.10.1	Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	The ES has considered the potential effects of climate change and natural hazards of the Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, as it would be expected to occur without the implementation of the development, in so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through climatic changes over the lifetime of the Project.
	EN-1 4.10.2	Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter, winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	Chapter 3 Project Description (APP-058) describes how the Project has adopted a Maximum Design Scenario (MDS), which is illustrative of the Project's resilience to environmental changes anticipated during the lifetime of the Project.  The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Chapter 31: Climate Change (APP-086). Examples include:
	EN-1 4.10.3-4.10.4	To support planning decisions, the government produces a set of UK Climate Projections as well as hazard specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.  The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).	<ul style="list-style-type: none"> <li>▪ Changes in air quality/composition;</li> <li>▪ Changes in flood risk; and</li> <li>▪ Changes in wind speed.</li> </ul> <p>Once construction is complete, the O&amp;M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>In summary the Project demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p>
	EN-1 4.10.5 – 4.10.7	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.  In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.	<ul style="list-style-type: none"> <li>▪ employing a high quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses; and</li> <li>▪ incorporating measures which promote and enhance green infrastructure and explore opportunities for overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul>
	EN-1 4.10.8 – 4.10.9	New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g., site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g., access roads or other critical dependencies impacted by flooding, storms, heatwaves, or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.	As outlined in Chapter 31 Climate Change (APP-086), the Project will make a substantial contribution to the delivery of renewable energy and accelerate national efforts towards Net Zero GHG emissions.  The characterisation of the flood risk Baseline and future Baseline is established using the Environment Agency's Development Advice Map and data from recent hydraulic models, which take into account climate change effects.

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		<p>The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations.</p>	<p>The Flood Risk Assessment: Onshore ECC (APP-211) and the Flood Risk Assessment: OnSS (APP-212) also provide additional information on how the NPS requirements have been met, including accounting for climatic and seasonal changes.</p>
	<p>EN-1 4.10.10- 4.10.12</p>	<p>Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</p> <p>Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.</p> <p>Where energy infrastructure has safety critical elements, The Applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.</p>	<p>The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections. Examples include:</p> <ul style="list-style-type: none"> <li>▪ Changes in air quality/composition</li> <li>▪ Changes in flood risk</li> <li>▪ Changes in wind speed</li> </ul> <p>The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul> <p>The OnSS design includes a surface water drainage system to manage rainfall runoff from the proposed OnSS. The design of the drainage system incorporates an allowance for climate change to rainfall patterns over the lifespan of the development and will ensure that there is no change to the local hydrology or flood risk</p>
<p>Secretary of State decision making</p>	<p>EN-1 4.10.13 – 4.10.19</p>	<p>The SoS should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA's Climate Change Allowances for FRA or the Welsh Government's Climate change allowances and flood consequence assessments) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.</p> <p>Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.</p> <p>The SoS should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the</p>	<p>Chapter 31 Climate Change (APP-086) of the ES concludes that the Project will not give rise to consequential impacts in relation to climate change, following the implementation of embedded and additional mitigation measures.</p> <p>The Project has demonstrated through the ES (APP-055) using the latest UK Climate projections. that it is resilient to climate change and has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources.</li> <li>▪ The characterisation of the flood risk baseline and future baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments (SFRA) and data from hydraulic models, which take into account climate change effects. This</li> </ul>

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		<p>Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS.</p> <p>Any adaptation measures should be based on the latest set of UK Climate Projections, the Government’s latest UK Climate Change Risk Assessment, when available and in consultation with the EA’s Climate Change Allowances for Flood Risk Assessments or the Welsh Government’s Climate change allowances and flood consequence assessments. The SoS may take into account reporting authorities reports to the SoS when considering adaptation measures proposed by an applicant for new energy infrastructure.</p> <p>Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the Project and/or surrounding environment (for example coastal processes), the SoS may consider requiring the applicant to keep the need for the adaption measure under review, and ensure that the measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls)</p>	<p>information is contained in ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) and is also contained within the Onshore Substation (OnSS) Flood Risk (FRA) (APP-212) and the onshore Export Cable Corridor (ECC) FRA (APP-211). Flood risk has been considered for the life of the development</p> <ul style="list-style-type: none"> <li>▪ Flood risk has also been considered in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</li> <li>▪ The Project is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: <ul style="list-style-type: none"> <li>▪ demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</li> <li>▪ identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</li> <li>▪ propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</li> <li>▪ include appropriate flood warning and evacuation procedures where necessary which have been undertaken in consultation with the authority’s emergency planning staff;</li> <li>▪ incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</li> <li>▪ demonstrates that the Project will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</li> <li>▪ demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</li> <li>▪ ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.</li> </ul> </li> </ul>
<b>EN-1 Part 4.11 Network Connection</b>			
Network Connection	EN-1 4.11.1 – 4.11.4	<p>The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend a generation plant.</p> <p>In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated.</p>	<p>The Project includes infrastructure required to connect the new power station to the National Grid. A description of the onshore and offshore transmission system and the associated infrastructure is set out within Chapter 3 Project Description (APP-058): The transmission system comprises the following key components:</p> <ul style="list-style-type: none"> <li>▪ Offshore substations (OSSs)</li> </ul>

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		<p>To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission.</p> <p>Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in Section 4.2 of this NPS and EN-5</p>	<ul style="list-style-type: none"> <li>▪ Offshore reactive compensation platforms (ORCPs)</li> <li>▪ Array, interlink, and export cables</li> <li>▪ Project onshore substation (OnSS)</li> <li>▪ Necessary associated development required to transmit the power generated by the turbines to the connection with the National Grid transmission network (the grid connection location).</li> </ul>
	<p>EN-1  4.11.5 - 4.11.6</p>	<p>The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) or TSO to secure a grid connection.</p> <p>Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application.</p> <p>In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.</p>	<p>Connection to the National Grid, will include 400kV underground circuit(s) running from the OnSS to a new National Grid Electricity Transmission (NGET) substation which is to be consented separately by NGET.</p> <p>Further commentary on the transmission system is provided within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Outline Cable Specification and Installation Plan (APP-278)</li> <li>▪ Design Principles Statement (APP-293)</li> <li>▪ Cable Statement (APP-299)</li> <li>▪ Outline Scour and Cable Protection Management Plan (APP-295)</li> <li>▪ ES Chapter 3 Appendix 1 Cable Burial Risk Assessment CONFIDENTIAL (APP-142)</li> </ul>
	<p>EN-1  4.11.7 – 4.11.10</p>	<p>The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the SoS or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall.</p> <p>On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.</p> <p>If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.</p> <p>It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms as outlined in EN-5.</p>	<p>The Project will include both offshore and onshore infrastructure including:</p> <ul style="list-style-type: none"> <li>▪ Offshore generating station (windfarm);</li> <li>▪ Offshore export cables to landfall;</li> <li>▪ Offshore Reactive Compensation Platforms (ORCP);</li> <li>▪ Onshore export cables from landfall to the OnSS;</li> <li>▪ OnSS and 400kV cables to the National Grid substation1 (NGSS); and,</li> <li>▪ Ancillary and/or Associated Development including areas for the delivery of up to two Artificial Nesting Structures (ANS) and the creation and recreation of a biogenic reef (if these compensation measures are deemed to be required by the Secretary of State) (see ES Chapter 3: Project Description (APP-058) for full details).</li> </ul> <p>The Explanatory Memorandum (APP-304), and Draft DCO (APP-303), confirm development consent is sought for these elements of the Project comprising the Generating Station (NSIP), Associated Development and Ancillary Development aspects of the Project.</p> <p>Information regarding the National Grid Substation and Connection Area can be found within Section 8.5.2 of Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The National Grid Substation was also included as a part of the Projects onshore cumulative assessment as shown in Annex 1 of appendix 5.3 (APP-148)</p>
<p>Secretary of State decision making</p>	<p>EN-1  4.11.12 – 4.11.13</p>	<p>The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.</p>	<p>The Applicant has secured a grid connection in agreement with National Grid. The Project's OnSS will be located at Surfleet Marsh , with a proposed 400kV cable running under the River Welland from Surfleet Marsh to National Grid's substation at Weston Marsh. .</p>

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		Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State’s ability to take subsequent decisions on any related projects.	A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the OnSS is provided in the Outline Cable Specification and Installation Plan (APP-278) and within Chapter 3 Project Description (APP-058).

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EN-1 Part 4.12: Pollution control and other environmental regulatory regimes			
Pollution Control and Other Environmental Regulatory Regimes	EN-1 4.12.1 - 4.12.2	<p>Issues relating to discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes, for example local planning consent or marine licences (see paragraph 4.5.6 for more information).</p> <p>The planning and pollution control systems are separate but complementary. The planning system controls the development and use of land in the public interest. It plays a key role in protecting and improving the natural environment, public health and safety, and amenity, for example by attaching conditions to allow developments which would otherwise not be environmentally acceptable to proceed and preventing harmful development which cannot be made acceptable even through conditions. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines how the areas most vulnerable and susceptible to pollution have been avoided where practically possible. With regards to the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures such as, but not limited to, the OLEMS (APP-284), and the OCoCP (APP-268), which will be implemented to ensure the relevant pollution control regime is properly applied and approved in advance of construction by the relevant regulator.</p> <p>Regarding offshore matters, the Government's Marine Plans have been considered in developing the Project. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Through scoping to application, Marine Plans, other relevant legislation, and feedback from relevant stakeholders, such as the MMO, has been fed into the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p> <p>With regards to the marine environment and relevant pollution control mitigation measures, these will be managed through the production of a Marine Pollution Contingency Plan (MPCP) and an outline Project Environmental Management Plan (PEMP) (APP-277), to ensure that the potential for contaminant release is strictly controlled. The PEMP will include a MPCP and will also incorporate plans to cover accidental spills, potential contaminant release, and include key emergency contact details (e.g., Environment Agency, NE, Maritime Coastguard Agency and the Project site co-ordinator). The PEMP will be secured as a condition in the dML(s).</p> <p>As detailed within Other Consents and Licences (APP-305), the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator.</p>
	EN-1 4.12.3 – 4.12.4	<p>Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting Regulations require industrial facilities to have an Environmental Permit and meet limits on allowable emissions to operate.</p> <p>Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are, will now be determined through a new UK-specific BAT process.</p>	<p>As detailed within Other Consents and Licences (APP-305) where required, relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The document provides information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of the Project.</p> <p>The Project falls outside the current UK specific BAT process.</p>
Applicant assessment	EN-1 4.12.5	<p>Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.</p>	<p>The Government's Marine Plans have been considered within the establishment of the Baseline environment, as set out in Chapter 18 Marine Infrastructure and Other Users (APP-073) which provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning phase. The Government's Marine Plans are also considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter. The Planning Statement (APP-297) concludes there</p>

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			<p>is no conflict between the NPS and any marine planning document proposals. They meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible. The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p> <p>. Further information can be found within the Consultation Report (APP-032).</p>
	EN-1 4.12.6	Many projects covered by this NPS will be subject to the EPR which also incorporates operational waste management requirements for certain activities. When an applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.	As detailed within Other Consents and Licences (APP-305), where required the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The requirement for an environmental permit in respect of certain flood risk activities (e.g. works within the vicinity of or crossing main rivers or flood defences) has been disapplied in the draft DCO and instead, approval of details will be sought from the Environment Agency in accordance with the protective provisions (unless a flood risk activity exemption applies).
	EN-1 4.12.7 – 4.12.8	Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other such as marine licences. Wherever possible, applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent.	Consultation is a key part of the DCO application process. Technical Consultation regarding this Project has been conducted through the publication of the Scoping Report (Outer Dowsing Offshore Wind, 2022), the publication of the PEIR, other Phase 2 consultation materials (Outer Dowsing Offshore Wind, 2023), and discussions with relevant stakeholders through both the EPP, and bilateral consultation as appropriate. Full details of the above consultations are provided in Chapter 6 Technical Consultation (APP-061).
Secretary of State decision making	EN-1 4.12.9 – 4.12.10	In considering an application for development consent the SoS should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves. The SoS should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The SoS should act to complement but not seek to duplicate them.	<p>The Project has been subject to an iterative site selection and alternatives process Chapter 4 Site Selection and Consideration of Alternatives (APP-059) which demonstrated that the development is the most suitable alternative, and an acceptable use of the land at the proposed location. Specifically, with regards the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures. These measures will be secured through the OLEMS (APP-284), the OCoCP (APP-268), and the Pollution Prevention and Emergency Incident Response Plan (PPEIERP) (APP-272) which will be implemented to ensure the relevant pollution control.</p> <p>Further information is also provided within Other Consents and Licences (APP-305) regarding the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 that will be applied for post consent, with applications made to the relevant regulator.</p> <p>The Outline Project Environmental Management Plan (APP-277) and Outline Code of Construction Practice (APP-268) and associated environmental management plans, provide the framework for the project controlling its emissions and discharges to the offshore and onshore environment by the project respectively. All onshore contractors and subcontractors will work in accordance with the Code of Construction Practice. All offshore contractors will work under a PEMP, produced in accordance with the outline PEMP. Emergency procedures will be developed under these documents for the onshore and offshore works and will include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures.</p>
	EN-1	The SoS's consent may include a deemed marine licence and the MMO or NRW will advise on what conditions should apply to the dML.	The draft DCO incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act (MCAA) 2009, and which identify conditions that may be applied to the Project.

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	4.12.11 – 4.12.13	The SoS and MMO or NRW should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation.  In considering the impacts of the Project, the SoS may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	The Order contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (dML 1) and one for the offshore transmission assets (dML 2). The Order also contains four deemed marine licences for the potential artificial nesting structures.  The Applicant has consulted extensively with the MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard to these are outlined in Consultation Report Appendix 5.1.4B Section 42 Responses (APP-038)
	EN-1  4.12.14 – 4.12.15	The SoS should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the SoS should be satisfied, before consenting any potentially polluting developments, that: <ul style="list-style-type: none"> <li>the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and</li> </ul> the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	The ES provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards potential pollution in the offshore and onshore environment.  The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.  This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project.  Regarding bullet 2 of Paragraph 4.12.15, the Project has proposed several pollution prevention measures which will ensure the Project does not exceed any statutory environmental limits, as listed below:
	EN-1  4.12.16	The SoS should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the SoS to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.	<ul style="list-style-type: none"> <li>Outline Code of Construction Practice (APP-268) which incorporates measures to prevent pollution;</li> <li>Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) will be used to prepare a final management plan and held on all construction sites to follow in the event of an environmental emergency; and</li> <li>Outline Project Environmental Management Plan (APP-277) which will control the release of contaminations relating to offshore activities. The final PEMP will also include a Marine Pollution Contingency Plan (MPCP) and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site co-ordinator). The PEMP will be secured as a condition in the deemed Marine Licence.</li> </ul>
<b>EN-1 Part 4.13: Safety</b>			
Safety	EN-1 4.13.1 – 4.13.2	In addition to its role in the planning system, the HSE is the independent regulator for workplace health and safety and is responsible for enforcing a range of health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Some technologies, for example, major accident hazard pipelines, will be regulated by specific health and safety legislation. The application of these regulations is set out in the technology specific NPSs where relevant.	Best practice health and safety measures will be secured and adhered to, namely through the OCoCP (APP-268) which sets out health and safety principles, including: <ul style="list-style-type: none"> <li>The adoption of appropriate health industry standards;</li> <li>The appointment of a principal contractor who will develop a construction phase plan that safeguards the safety of workers in accordance with legal requirements; and</li> </ul> Appropriate Personal Protective Equipment (PPE) will be worn by construction workers including sub-contractors.
	EN-1 4.13.3 – 4.13.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e., from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear)	The Applicant does not consider that the Project, either in the context of the offshore wind turbine generators (WTGs), transmission infrastructure or the OnSS to fall under the Control of Major Accident Hazards (COMAH) Regulations 2015. The Project is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the

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		and the EA acting jointly in England and by the HSE and NRW acting jointly in Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.	Project does not fall under the COMAH Regulations 2015. As such, the Applicant is not seeking to develop infrastructure subject to the COMAH regulations and a safety report is not required.
Applicant Assessment	EN-1 4.13.5– 4.13.7	Applicants should consult with the HSE on matters relating to safety. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	As noted in the response above, The Applicant does not consider that the Project, falls under the COMAH Regulations 2015  The Applicant has made use of appropriate guidance to better understand the likelihood and occurrence of an accident or disaster. The description and assessment consider the vulnerability of the Project to a potential accident or disaster and also the development's potential to cause an accident or disaster. The assessment specifically assesses significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects are presented in the ES.  The Applicant has engaged with the Health and Safety Executive (HSE) through the statutory consultation carried out under section 42 of the 2008 Act. The HSE's responses and how the Applicant has had regard to these is set out in the Consultation Report (APP- 032) and Appendix 4B to the Consultation Report (APP-038)
Secretary of State decision making	EN-1 4.13.8	The SoS should be satisfied that a safety assessment has been prepared, has raised no safety objections.	It was agreed at the Scoping stage that a separate chapter on Major Accidents and Disasters within the Environmental Statement (ES) was not required. The risk of 'major accidents and/or disasters' occurring associated with any aspect of the Project, during the construction, operation and decommissioning phases are anticipated to be negligible, following guidance published by IEMA on Major Accidents and Disasters in EIA (IEMA, 2020). Instead, an outline Code of Construction Practice and Outline Pollution Prevention and Emergency Incident Response Plan has been provided as part of the DCO application (APP-268 and APP-272). A Hazard Identification (HazID) Report will be prepared and agreed with the relevant planning authority prior to construction of DCO Work  Safety elements have been assessed throughout the ES for the Project. A safety statement will be produced post consent.
<b>EN-1 Part 4.14: Hazardous substances</b>			
Hazardous Substances	EN-1 4.14.1 – 4.14.4	All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.' Where HSE does not advise against the SoS granting the consent, it will also recommend whether the consent should be granted subject to any requirements.	It is not the intention of The Applicant to apply for Hazardous Substance Consent.  Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed within Chapter 30 Human Health (APP-085).  The OnSS would contain potential pollutants which could include cooling oils, lubricants, fuels, greases, etc. The design, maintenance and operation of the facility would follow good practice in line with the prevailing future guidance and legislation with regard to measures such as the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants.  Further to this the ES (APP-055) provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards to potential pollution in the offshore and onshore

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			<p>environment. The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.</p> <p>This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project. It should also be noted that the DCO will contain a condition in the dMLs that will require a MPCP to be submitted for approval post consent which will also provide mitigation relating to the control of hazardous substances. An outline Project Environmental Management Plan (APP-277) has been provided which will control the release of contaminations relating to offshore activities. The final PEMP will also include the MPCP and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site coordinator).</p>
Applicant Assessment	EN-1 4.14.5 - 4.14.6	<p>Applicants must consult the (HSA) and HSE at pre-application stage if the Project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety.</p> <p>HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The Applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.</p>	It is not the intention of The Applicant to apply for Hazardous Substance Consent.
Secretary of State decision making	EN-1 4.14.7	Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The Secretary of State should consult HSE about this.	
<b>EN-1 Part 4.15: Common Law Nuisance and Statutory Nuisance</b>			
Common Law Nuisance and Statutory Nuisance	EN-1 4.15.1 - 4.15.4	<p>Section 158 of the Planning Act 2008 confers statutory authority for carrying out development consented to by, or doing anything else authorised by, a DCO.</p> <p>Such authority is conferred only for the purpose of providing a defence in any civil or criminal proceedings for nuisance. This would include a defence for proceedings for nuisance under Part III of the Environmental Protection Act 1990 (EPA) (statutory nuisance) but only to the extent that the nuisance is the inevitable consequence of what has been authorised.</p> <p>The defence does not extinguish the local authority's duties under Part III of the EPA 1990 to inspect its area and take reasonable steps to investigate complaints of statutory nuisance and to serve an abatement notice where satisfied of its existence, likely occurrence or recurrence.</p> <p>The defence is not intended to extend to proceedings where the matter is "prejudicial to health" and not a nuisance.</p>	Whilst paragraph 4.15.1-4.15.4 does not set out specific requirements, Chapter 26 Noise and Vibration (APP-081) outlines that the relevant statutory and non-statutory authorities and stakeholders with respect to noise have been consulted and consequent feedback has influenced the design of the Project and the proposed mitigation, including the Outline Noise and Vibration Management Plan (APP-269) which will be secured as a result of the Project.
Applicant Assessment	EN-1 4.15.5	At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration)	The Applicant has provided a Statutory Nuisance Statement (APP-301) in accordance with Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 which requires the applicant for a DCO to provide a statement as to whether the application engages

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Secretary of State decision making	EN-1 4.15.6- 4.15.7	<p>At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).</p> <p>The SoS should note that the defence of statutory authority is subject to any contrary provision made by the SoS in any particular case in a DCO (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the SoS can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.</p>	<p>Section 79(1) (Statutory nuisances and inspections therefor) of the Environmental Protection Act 1990 (the 1990 Act) and, if it does, how the applicant intends to mitigate or limit such nuisances.</p> <p>The Statutory Nuisance Statement draws upon the ES (APP-055) to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297). The ES, which has been prepared by the Applicant as part of the process of environmental impact assessment for the application, has analysed the potential significant effects of a number of elements specified in Section 79(1) of the 1990 Act.</p> <p>The Project has identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas which could suffer from nuisance are located away from the Project's infrastructure elements as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Throughout the ES, the Project proposes several mitigation measures to limit nuisance, including as outlined in the Outline Code of Construction Practice (OCoCP) (APP-268) which sets out best practice measures and standard protocol which will be incorporated into the final CoCP</p> <p>The Statutory Nuisance Statement demonstrates that, with the implementation of these mitigation measures where appropriate (which will be secured by requirements attached to the DCO), claims for statutory nuisance are unlikely to arise from the Project.</p> <p>Whilst it is not expected that the construction, operation, maintenance or decommissioning of the Project would engage Section 79(1) by causing statutory nuisances, the draft DCO (APP-303) that accompanies the application contains a provision at Article 8 (Defence to proceedings in respect of statutory nuisance) to provide a defence to proceedings for statutory nuisance, should they be initiated against the Applicant (or its successors) as undertakers of the Project.</p>
<b>EN-1 Part 4.16: Security Considerations</b>			
Security Considerations	EN-1 4.16.1 - 4.16.5	<p>National security considerations apply across all national infrastructure sectors. DESNZ works closely with government security agencies including the National Protective Security Authority (NPSA) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation.</p> <p>In the UK's civil nuclear industry, security is also independently regulated by the ONR.</p> <p>Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Where applications for development consent for infrastructure covered by this NPS relate to potentially 'critical' infrastructure, there may be national security considerations.</p> <p>DESNZ will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified.</p>	<p>The Applicant has consulted to ensure that security measures have been considered and included where necessary to manage security risks. No security risks have been identified.</p> <p>DESNZ have already been notified during the pre-application stage about the proposals in line with Paragraph 4.16.5 of EN-1.</p>
Applicant Assessment	EN-1 4.16.6 – 4.16.7	<p>Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, ONR (for civil nuclear) and/or DESNZ to ensure</p>	<p>The Applicant has consulted with DESNZ to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. No security risks have been identified by CPNI, ONR (for civil nuclear) and/or DESNZ.</p>

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		security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. The applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.	ES Chapter 16: Aviation, Radar, Military and Communication (APP-071) confirms that the Applicant has been and will continue to engage with the MOD during the application process. The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar (PSR) systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
Security considerations	EN-1 4.16.8 – 4.16.10	If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the SoS, it will provide confirmation of this to the SoS. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence may take place in a closed session as set out under Examination Procedure Rules. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government’s Environmental Improvement Plan 2023.	The Applicant does not consider there to be any security implications arising from the Project and (subject to relevant consultation responses) does not, therefore, expect the SoS to have to give further consideration to the details of the security measures in its examination.
<b>EN-1 Part 5: Generic Impacts</b>			
<b>EN-1 Part 5.2: Air Quality and Emissions</b>			
Air Quality and Emissions	EN-1 5.2.1 - 5.2.2	Energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).  Legal limits for pollutants in ambient air are set out in the Air Quality Standards Regulations 2010 and for England, national objectives set out in the Air Quality (England) Regulations 2000 reiterated in the Air Quality Strategy, or for Wales, the Air Quality (Wales) Regulations 2000 and the Clean Air Plan for Wales. In addition, two fine particulate matter (PM2.5) targets were set under the Environment Act 2021 for England – an annual mean concentration target and a population exposure target. Internationally agreed emissions commitments are set in the National Emission Ceilings Regulations 2018 and establish limits for total UK emissions of key pollutants.	Chapter 19 Onshore Air Quality (APP-074) sets out several proposed measures to ensure that the Project does not have significant effects on air quality. These include: <ul style="list-style-type: none"> <li>▪ Carrying out construction works in accordance with best practice measures; and</li> <li>▪ The preparation of the OCoCP (APP-268) that outlines management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The document also includes a series of controls that are detailed with the Outline Air Quality Management Plan (OAQMP) (APP-270).</li> </ul> The assessment within Chapter 19 Onshore Air Quality (APP-074) also considers relevant legislation including the Air Quality Standards Regulations 2010 which support the conclusion that the Project will not result in any significant adverse effects given the thresholds/legal limits are not exceed as a result of the proposals.
	EN-1 5.2.3 - 5.2.4	For many air pollutants there is not a threshold below which there is no health impact so it is important that energy infrastructure schemes consider not just how a scheme may impact statutory air quality limits, objectives or targets but also measures to mitigate all emissions in order to minimise human exposure to air pollution, especially for those who are more susceptible to the impacts of poor air quality.	Chapter 30 Human Health (APP-085) concludes that, no significant impacts are predicted and the change in air quality is below all statutory thresholds for health protection (during the construction phase). The Project has committed to embedded mitigation as set out in Table 30.6 in APP-085 including the development of and adherence to a CoCP during construction to mitigate all emissions and minimise human exposure to air pollution including potentially vulnerable groups as assessed in section 30.5. Potential effects in relation to Eutrophication are considered in Chapter 19 Onshore Air Quality (APP-074).

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		<p>In addition, a particular effect of air emissions from some energy infrastructure may be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of NOx and ammonia. The main emissions from energy infrastructure are from generating stations. Eutrophication can affect plant growth and functioning, altering the competitive balance of species and thereby damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal blooms, which remove oxygen from the water, adversely affecting plants and fish. The effects on ecosystems can be short term or irreversible and can have a large impact on ecosystem services such as pollination, aesthetic services and water supply.</p>	<p>Chapter 19 Onshore Air Quality (APP-074) considers air quality impacts during construction to sensitive ecological receptors as a result of dust and concludes that impacts on ecological designations are insignificant.</p>
Applicant Assessment	EN-1 5.2.8 – 5.2.11	<p>Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES. The ES should describe:</p> <ul style="list-style-type: none"> <li>▪ existing air quality concentrations and the relative change in air quality from existing levels;</li> <li>▪ any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; and</li> <li>▪ the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts.</li> </ul> <p>In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.</p> <p>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and The Applicant should ensure these are current at the point of an application. The Applicant's assessment should be consistent with this but may include more detailed modelling to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the ExA along with the source.</p>	<p>The assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074) with further detailed information provided in the following documents:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 19 Appendix 1 Construction Dust Assessment Methodology (APP-176)</li> <li>▪ ES Chapter 19 Appendix 2 Non-Road Mobile Machinery Emissions Assessment (APP-177)</li> <li>▪ ES Chapter 19 Appendix 3 Offshore Activities Assessment (APP-178)</li> <li>▪ ES Chapter 19 Appendix 4 Road Traffic Dispersion Modelling (APP-179)</li> </ul> <p>Section 19.4 of the ES Chapter describes the baseline environment including the existing conditions and the future baseline used in the assessment of impacts. Section 19.8 provides an assessment of any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project.</p> <p>The Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance are considered in Section 19.4 to 19.9 of the Onshore Air Quality Chapter (APP-074).</p> <p>During the construction phase, the assessment focussed on potential impacts from dust, Non-Road Mobile Machinery (NRMM), and offshore vessel emissions. Results indicate negligible to minor adverse effects, all considered to be non-significant in accordance with the EIA regulations. Specific mitigation measures were outlined for dust and NRMM, contributing to the overall not significant conclusion. Temporary increases in traffic, a consequence of construction activities, were also evaluated, with the study determining these effects on human and ecological receptors to be temporary and non-significant. Traffic associated with both future planned developments and live projects and plans were considered in the assessment, which resulted in cumulative impacts being assessed.</p> <p>In relation to the operations and maintenance phase, a screening of road traffic impacts concluded that anticipated changes to the volume of traffic is below the relevant screening criteria, rendering further assessment unnecessary, as acknowledged through the received Scoping opinion. This phase was thus considered to have negligible and non-significant effects on onshore air quality.</p> <p>For decommissioning activities, these are not anticipated to exceed the MDS criteria established for the construction phase. Given that the effects associated with the construction phase are considered not significant, no additional assessment of the decommissioning phase is necessary, however a decommissioning plan will be developed in due course.</p>

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			<p>There are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</p> <p>Consideration to the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance is given within the ES Chapter.</p>
	EN-1 5.2.12	Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets or affect the ability of a noncompliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/ strategy at the time of the decision, The Applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	<p>Chapter 19 Onshore Air Quality (APP-074) assesses the risk and significance of potentially significant emissions to air, with and without appropriate mitigation and outlines that relevant air quality limits/regulations will not be breached as a result of the Project.</p> <p>As such it is considered that the ES for the Project is in accordance with paragraph 5.2.7 of EN-1.</p>
	EN-1 5.2.13	The SoS should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England or the Clean Air Plan in Wales or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance.	<p>This assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074). This is as consequence of the embedded mitigation measures set out in the chapter ,namely:</p> <ul style="list-style-type: none"> <li>▪ The OAQMP (APP-270) which includes measures relating to dust control and NRMM emissions. The construction dust assessment methodology identifies mitigation measures recommended for inclusion; and</li> <li>▪ The OCoCP (APP-268). In addition, the Outline Soil Management Plan (APP-271), which forms part of the OCoCP, and sets out the principles and procedures for general good practice mitigation for soil management.</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO and include several measures that will control air quality. This includes ensuring all construction work is undertaken in accordance with best practice measures.</p> <p>The assessment in Chapter 19 Onshore Air Quality (APP-074) has been undertaken with reference to the Air Quality Strategy in England and Defra’s LAQM guidance.TG22 (Defra, 2022) and PM2.5 targets guidance.</p>
	EN-1 5.2.14	The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	<p>The mitigation measures outlined within Section 5.14 have been included within Chapter 19 Onshore Air Quality (APP-074), ES Chapter 27: Traffic and Transport (APP-082), and the review of Section 5.14 in this policy accordance table for further information.</p> <p>ES Chapter 27 sets out a number of mitigation measures that will be beneficial in reducing air emissions from transport. These measures include :</p> <ul style="list-style-type: none"> <li>▪ An Outline CTMP that sets out the key principles and types of measures to be implemented during construction</li> <li>▪ An Outline TP which includes a range of demand management measures including a target car share ratio; and</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO.</p>
Secretary of State decision making	EN-1 5.2.15 – 5.2.16	Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government’s Environmental Improvement Plan 2023.	<p>With regard to pollution control, please see responses to NPS EN-1- 4.12</p> <p>Chapter 19 Onshore Air Quality (APP-074) outlines that with the implementation of proposed mitigation, which include the OAQMP (APP-270) and the OCoCP (APP-268), the Project will not result in the breach of any national or statutory air quality limits or objectives. The assessment set out in Chapter 19 concludes that there will be no substantial changes in air quality levels</p>

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		The SoS should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives, or targets.	To limit harm to sensitive receptors, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects. It should be noted that all sensitive receptors have been considered and no significant impacts have been identified.
	EN-1 5.2.17 – 5.2.18	The SoS should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the SoS should refuse consent.	
	EN-1 5.2.19	In all cases, the SoS must take account of any relevant statutory air quality limits objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the SoS should refuse consent.	
<b>EN-1 Part 5.3 – Greenhouse Gas Emissions</b>			
Greenhouse Gas Emissions	EN-1 5.3.1 – 5.3.3	Significant levels of energy infrastructure development are vital to ensure the decarbonisation of the UK economy. The construction, operation and decommissioning of that energy infrastructure will in itself, lead to GHG emissions.  In considering this section, applicants should also have regard to Part 2 of this NPS, which explains the current policy on climate change and how this NPS interacts with that policy, and Section 4.10 of this NPS, which deals with climate change adaptation.  As discussed in Part 2, energy infrastructure plays a vital role in decarbonisation. While all steps should be taken to reduce and mitigate climate change impacts, it is accepted that there will be residual emissions from energy infrastructure, particularly during the economy wide transition to net zero, and potentially beyond.	The Project would provide up to 100 wind turbines, supporting the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy and therefore will play a vital role in national decarbonisation.  Climate change policy and projections have been considered across each ES chapter and a GHG assessment was undertaken as part of the Chapter 31 Climate Change (APP-086) . ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed. Most importantly, the assessment demonstrated that there will be no significant impacts across all the stages of the Project.
Applicant Assessment	EN-1 5.3.4	All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.2). This should include: <ul style="list-style-type: none"> <li>▪ A whole life GHG assessment showing construction, operational and decommissioning GHG impacts including impacts from change of land use;</li> <li>▪ An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages;</li> <li>▪ Measurement of embodied GHG impact from the construction stage;</li> <li>▪ How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures;</li> <li>▪ How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology.;</li> <li>▪ Calculation of operational energy consumption and associated carbon emissions.;</li> </ul> Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate	A GHG assessment was undertaken as part of the assessment outlined in Chapter 31 Climate Change (APP-086) and addresses all the provisions set out in EN-1 Paragraph 5.3.4.  The climate change assessment for the Project involved a thorough analysis of its environmental impact throughout the entire life cycle. This included evaluating the carbon footprint associated with everything from manufacturing the raw materials for construction to the eventual recycling or disposal at the end of its 35-year lifespan, alongside the benefit produced from the renewable electricity generated.  The estimated greenhouse gas emissions for the operation phase are 5.3 million metric tons of CO2 equivalent. This calculation considered a combination of jacket/pile and Gravity-Based Structure (GBS) foundations. The Project aims to generate 7,227GWh (gigawatt-hours) of electricity annually, resulting in a relatively low carbon intensity of about 20.8 grams of CO2 equivalent per kilowatt-hour (kWh).  Comparing this to alternative electricity generation methods like gas Combined Cycle Gas Turbine (CCGT) (with carbon intensity of 371g CO2eq/kWh), the Project is expected to offset its construction-related emission in approximately two years. This highlights the Project’s environmental benefits, showing that it efficiently manages and minimises its carbon impact.

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		change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed	
Mitigation	EN-1 5.3.5 – 3.5.6	A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	<p>A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.</p> <p>The Project also meets the need in the UK for the types of energy infrastructure covered by EN-1 and contributes significantly towards the UK’s current cumulative electricity supply deployment target for 2030, supporting the UK in delivery secure, reliable and affordable energy as part of net zero commitments.</p> <p>The Project would provide up to 100 wind turbines, create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</p>
	EN-1 5.3.7	Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, peatland restoration and through other natural habitats.	<p>Approaches to reduce GHG reduction are set out in both Chapter 19 Onshore Air Quality Onshore Air Quality (APP-074) and Chapter 31 Climate Change Climate Change (APP-086) which sets out the approach to minimise GHG through proposed mitigation.</p> <p>This is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) which outlines potential areas which could serve as a carbon sink.</p>
Secretary of State decision making	EN-1 5.3.8 – 5.3.9	The SoS must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. The SoS should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development.	A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.
	EN-1 5.3.10	The SoS should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.	
	EN-1 5.3.11 – 5.3.12	Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Sections 2.4), Government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate	
			Refer to the Applicant’s response for Paragraph 5.3.4

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		commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.	
<b>EN-1 Part 5.4: Biodiversity and Geological Conservation</b>			
Biodiversity and Geological Conservation	EN-1 5.4.1 – 5.4.3	<p>Biodiversity is the variety of life in all its forms and encompasses all species of plants, animals and fungi, the genetic diversity they contain and the complex ecosystems of which they are a part. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance.</p> <p>In the 25 Year Environment Plan, the government set out its vision for a quarter-of-a-century action to help the natural world regain and retain good health. A commitment to review the plan every 5 years was set into law in the Environment Act 2021. The Environmental Improvement Plan was published in 2023, which reinforces the intent of the 25 Year Environment Plan and sets out a plan to deliver on its framework and vision. The government’s policy for biodiversity in England is set out in the Environmental Improvement Plan 2023, the National Pollinator Strategy and the UK Marine Strategy. The aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge presented by climate change. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides.</p> <p>The wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues are set out in a Government Circular. The NPPF and Natural Environment PPG document sets out good practice in England in relation to planning for biodiversity and geological conservation. In Wales, TAN 5: Nature Conservation and Planning sets out how the land use planning system should contribute to biodiversity and geological conservation</p>	<p>The Project has adopted a positive approach to biodiversity through avoiding the most sensitive ecological areas (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and all relevant policy outlined within Paragraph 5.4.1-5.4.3 has been considered in Chapter 21 Onshore Ecology (APP-076).</p> <p>The Applicant has also committed to several mitigation/compensatory measures that will enhance biodiversity.</p>
Habitats Regulations	EN-1 5.4.4 – 5.4.6	<p>The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas.</p> <p>As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required:</p> <ul style="list-style-type: none"> <li>▪ potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>▪ listed or proposed Ramsar sites; and</li> <li>▪ sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.</li> </ul> <p>The British Energy Security Strategy committed to establishing Strategic Compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information.</p>	<p>As demonstrated throughout the ES Non-Technical Summary (APP-055) and RIAA (APP-235), the Applicant has shown how any likely significant negative effects to sites identified through international conventions would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy.</p> <p>Designated sites and features have been screened, in consultation with Natural England, and considered within the RIAA (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case (APP-242) for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the [RIAA]. As set out in Section 1.2 of the derogation case and as set out in [table 13.1 of the RIAA], the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Sites of Special Scientific Interest (SSSIs)	EN-1 5.4.7 – 5.4.8	<p>Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs.</p> <p>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.</p>	<p>The Project site selection process has avoided direct interaction with all relevant SSSIs (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes 15 SSSIs (excluding geological designations). The onshore Order Limits have been designed to avoid designated sites where practicable. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on SSSIs.</p>
Marine Conservation Zones (MCZ)	EN-1 5.4.9	<p>MCZs (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act, 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries.</p>	<p>A Marine Conservation Zone Assessment (APP-157) has been undertaken by the Applicant and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Marine Protected Areas (MPA)	EN-1 5.4.10 – 5.4.11	<p>MPA is a term used to describe the network of habitat sites, SSSIs, MCZs, and Highly Protected Marine Areas (HPMAs) in the English and Welsh marine environment.</p> <p>It is important that relevant guidance on managing environmental impacts of infrastructure in marine protected areas is followed, and that equal consideration of the effect of proposals should be given to all MPAs regardless of the legislation they were designated under. This is because all sites contribute to the network of MPAs and therefore to overall network integrity. In England, government have established a MPA condition target under the Environment Act.</p>	<p>Impacts on MPA have been considered within the following chapters of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7 Marine Physical Processes (APP-062)</li> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064)</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ Chapter 11 Marine Mammals (APP-066)</li> <li>▪ 7.1 Report to Inform Appropriate Assessment (RIAA) (APP-235)</li> <li>▪ 7.2 Habitats Regulations Assessment Screening Report (APP-239)</li> <li>▪ 7.3 Report to Inform Appropriate Assessment Appendix 1: Screening Matrices (APP-240)</li> </ul> <p>See comments against EN-1 paragraph 4.2.13.</p>
Regional and Local Sites	EN-1 5.4.12 – 5.4.13	<p>Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution.</p> <p>National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.</p>	<p>The Project mapped and considered all sites of local biodiversity and geological interest as part of their constraints mapping exercises outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), ES Chapter 21 (APP-076) and Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The assessment has considered indirect impacts on locally and regionally important sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.</p> <p>The OLEMS (APP-284) sets out a number of high quality design measures that will, in addition to providing mitigation, also deliver biodiversity enhancements. Responses to Section 4.6.15 – 4.6.18 of EN-1 outlines further detail on the Applicant's compliance regarding enhancement.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats	EN-1 5.4.14 – 5.4.15	<p>Irreplaceable habitats are habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity.</p> <p>Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the Government's policy for ancient and native trees and woodlands in England sets out the Government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active management. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh, scrub, and lowland fen.</p>	<p>Several methods within the Project have been adopted to avoid the loss of irreplaceable habitats. This includes the first phase approach of avoidance through siting of the Project infrastructure outside of these habitats and, as stated in Table 1.15 of Chapter 21 Onshore Ecology (APP-076), the adoption of trenchless techniques to avoid permanent loss of habitats, including irreplaceable and Priority habitats that could not be avoided by the siting of the Project. With mitigation in place the project will result in no significant effects relating to Priority Habitats (that include irreplaceable habitats) as concluded in APP-076.</p> <p>Ancient woodlands have been scoped out of the assessment as there are no designations of this type within the Order Limits or within the study area as set out in ES Chapter 21 Onshore Ecology (reference), which is set as 2km from the Order Limits. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No ancient or veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible (for example features (e.g. trees) bordering a compound that can be retained). Although not progressed within the impact assessment, precautionary mitigation measures for all mature trees, including any with potential veteran tree features are proposed including avoidance measures and pre-construction surveys for any trees that must be removed (OLEMS, APP-284). Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.</p>
Protection and enhancement of habitats and species	EN-1 5.4.16	<p>Many individual species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action.</p>	<p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p>
Applicant Assessment	EN-1 5.4.17 – 5.4.18	<p>Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</p>	<p>The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Effects on these internationally, nationally, and locally designated sites of ecological or geological conservation importance have been assessed (where relevant), with reference to protected species identified as being important for the conservation of biodiversity both onshore and offshore. Chapters of relevance are presented in Volume 1 of the ES (DCO Application Part 6.1):</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the SoS consider thoroughly the potential effects of a proposed project.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067))</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>Other application documents of relevance outside of the ES include the:</p> <ul style="list-style-type: none"> <li>▪ Report to Inform Appropriate Assessment (APP-235)</li> <li>▪ Biodiversity Net Gain Report Principles and Approach (APP-302).</li> <li>▪ Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</li> </ul> <p>The outline Code of Construction Practice (APP-268) includes a number of measures to minimise the impact to ecology during construction.</p> <p>As noted in ES Chapter 5: EIA Methodology (APP-060), A Proportionate Approach has been adopted for the Project.</p>
	<p>EN-1 5.4.19 – 5.4.21</p>	<p>The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond BNG, which result in wider environmental gains (see Section 4.6 on Environmental and BNG). The scope of potential gains will be dependent on the type, scale, and location of each project.</p>	<p>Areas of biodiversity and geological interest have been avoided in the siting and design of the Project.. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and those specific to biological conservation interests are detailed within ES Chapter 21 Onshore Ecology (APP-076) while the effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance and siting / project refinements undertaken are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Proposals to provide enhancement have been discussed with the Environment Agency, NE and Local Wildlife Organisations via the Project’s Evidence Plan process (EPP) and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within the OLEMS (APP-284).</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076) and outline Landscape and Ecological Management Strategy (OLEMS) (APP-284). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p> <p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project and therefore operates as the Biodiversity Management Strategy referenced by draft NPS EN-1 Paragraph 5.4.36.</p> <p>The Applicant’s approach to BNG and compliance with relevant Policy is set out in the response to Section 4.6 of EN-1.</p>
	<p>EN-1 5.4.22</p>	<p>The design of Energy NSIP proposals will need to consider the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere</p>	<p>The following chapters have all considered the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065),</li> <li>▪ Chapter 11 Marine Mammals (APP-066) and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>A screening of potential transboundary effects was undertaken at the Scoping stage of the project which identified that there was no potential for significant transboundary effects to occur in relation to benthic and intertidal ecology, marine mammals and fish and shellfish ecology. While as outlined in relation to offshore and intertidal ornithology there is the potential for collisions and displacement at OWFs outside of the UK territorial waters the spatial scale and therefore seabird reference populations would be much larger and any conclusions drawn from existing cumulative impact assessments are unlikely to change.</p>
Applicant assessment- Habitats Regulation	EN-1 5.4.25	<p>The Applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to agree and record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.</p>	<p>The SoS will undertake a Habitats Regulation Assessment (HRA) in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017. As part of the HRA process, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent APP-057) with the relevant information to facilitate this HRA.</p> <p>The Applicant has liaised with Natural England and JNCC (the appropriate SNCBs) throughout the pre-application and HRA process through both statutory consultation and participation in the Evidence Plan Process (EPP). The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>In addition, comments relevant to the wider ES have been incorporated into the relevant documents on which the RIAA draws and have been taken into account indirectly during the preparation of the RIAA where relevant (this includes any comments received in the Scoping Opinion that are of relevance to designated sites and therefore the RIAA)</p> <p>Feedback on a draft version of the RIAA (Outer Dowsing Offshore Wind, 2023) was received from Natural England on 20 July 2023. Section 4 of the RIAA sets out the Applicant's response to feedback and how this has been incorporated within the submission.</p>
	EN-1 5.4.26 – 5.4.28	<p>If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.</p> <p>If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before</p>	<p>As part of the HRA process, a screening exercise has been undertaken, in consultation with the SNCB, followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>Please see the Applicant's response to paragraph 4.2.9 above.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>the close of the examination. This information must include assessment of alternative solutions, a case for IROPI and appropriate environmental compensation.</p> <p>Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow The Applicant the opportunity to provide such information following the examination.</p>	
	<p>EN-1 5.4.29 – 5.4.30</p>	<p>It is vital that applicants consider the need for compensation as early as possible in the design process as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process.</p> <p>Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.</p>	<p>As noted in the response to paragraph 4.2.9, the Applicant has provided a compensation plan in respect of kittiwake, in the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the other relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>Provisions to secure the delivery of compensation (to the extent that the Secretary of State decides that this is necessary) are set out in the draft DCO (APP-303). The compensation options and plans have been the subject of extensive consultation with relevant stakeholders, as detailed therein, both through statutory consultation carried out under section 42 of the 2008 Act and participation in the EPP and ETGs. Additionally the Applicant has participated in the Collaboration in Offshore Wind Strategic Compensation (COWSC) led by the Offshore Wind Industry Council (OWIC) and the Crown Estate Kittiwake Strategic Compensation Plan (APP-260).</p> <p>The Applicant has the ability through the DCO to deliver strategic compensation through the Marine Recovery Fund.</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243)</li> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Sandbank Compensation Implementation and Monitoring Plan (APP-245)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Biogenic Reef Compensation Implementation and Monitoring Plan (APP-247)</li> <li>▪ Without Prejudice Benthic Compensation Evidence Base and Road Map (APP-248)</li> <li>▪ Ornithology Compensation Strategy (APP-249)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Outline Kittiwake Compensation Implementation and Monitoring Plan (APP-251)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Outline Guillemot Compensation Implementation and Monitoring Plan (APP-253)</li> <li>▪ Outline Razorbill Compensation Implementation and Monitoring Plan (APP-254)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> <li>▪ TCE Strategic Kittiwake Compensation Plan (APP-260); and</li> <li>▪ Compensation Funding Statement (APP-264)</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.4.31	Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	<p>In addition to the kittiwake compensatory measures identified above the Applicant recognised the potential need to develop without prejudice compensatory measures for impacts arising from the Project from an early stage of the development. Consequently, at the outset of the Evidence Plan Process (EPP), an Expert Technical Group (ETG) was developed to cover derogation and compensation early on in the development process. After the initial meetings, this group was split into the two relevant technical workstreams (one for benthic ecology and the other for offshore ornithology).</p> <p>Consultee comments can be found in the following compensation plans listed in the response above (APP-243 – APP-264) and in the Consultation Report (APP-032).</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> </ul>
Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN – 1 5.4.32	Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase.	<p>Mitigation measures for ecological receptors including ancient woodland, ancient and veteran trees or other irreplaceable habitats are included in Table 3-4 of the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).</p> <p>For further details see the Applicant’s response to NPS EN-1 5.4.14 – 5.4.15</p>
Protection and enhancement of habitats and other species	EN-1 5.4.33 – 5.4.34	Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	<p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project.</p> <p>Compensation for loss of hedgerows and trees will be provided by re-instating native, species-rich hedgerows with heavy standard trees. Hedges will be reinstated at their original location (or as close as possible), new hedgerows will be located to re-establish links and maintain the network. New hedgerows will comprise a locally appropriate mixture of at least seven woody species and include heavy standard trees at a 3:1 ratio for any lost. Species selection will reflect established hedgerow species found within the local area and will be designed as mixed hedgerows to encourage biodiversity. Older hedgerow saplings will be used to re-establish hedgerows more quickly, as well as gap-fill existing hedges. All saplings will be planted with appropriate protection from pests.</p> <p>The Project has made a commitment to reinstate habitats as soon as practicable following construction.</p> <p>Compensation bat roost features will be provided for every potential roost feature (as identified by the pre-commencement/ pre-construction surveys) affected prior to loss. This compensation measure applies regardless of whether a confirmed roost is affected. The compensation roost features will aim to provide a functionally equivalent potential roost resource and may include re-use of cavity containing sections, re-use of whole felled trunks by setting vertically as monoliths, veteranisation (cutting and carving into healthy trees to mimic nature, to speed the process of decay and rot holes) and/or bat boxes on retained trees or installed poles, as appropriate.</p>

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			<p>Proposals to provide enhancement have been discussed with the Environment Agency, Natural England and Local Wildlife Organisations via the EPP meetings and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within OLEMS (APP-284).</p> <p>Opportunities for the creation and enhancement of arable field margins will be developed in the detailed design, with any specifications set out in the Ecological Management Plan (EMP).</p> <p>Opportunities for enhancement and creation of terrestrial habitats exist at both the OnSS and the surrounding proposed landscape screening around the OnSS. Subject to detailed design and agreement from landowners, this could include the management of habitat specifically for amphibians, along with the creation of refugia, wider and more species rich field margins, and an increase in the network of wildlife corridors for amphibian movement. Any enhancement measures would be included as part of the detailed project design and secured within the EMP. Enhancement may also include the installation of a range of bird boxes and the creation of earth banks for invertebrates, refugia for reptiles, amphibians and small mammals</p> <p>Greater Frampton Vision is a Landscape Recovery project on the edge of the Wash in Lincolnshire, England. Some of the land within the Greater Frampton Vision is within the ECC and would be impacted by works. Where habitats are lost to site clearance, a basic program of like-for-like reinstatement would be applied. However, this would be on the understanding that mitigation may be realigned to accommodate RSPB's plans for the area or where those habitats have functionality for protected species, the habitat would be reinstated and improved. An example of this is the reinstatement of hedgerow habitats in this area, where RSPB's conservation strategy is to remove hedgerows in their vision area. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). The Applicant is intent on leaving the environment in a measurably better state than before and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p> <p>In accordance with the mitigation hierarchy BNG should ideally be delivered on-site, near to where negative impacts occur, wherever possible. However, land ownership constraints may limit the scope to provide sufficient enhancement for measurable net gains within the Order Limits.</p>
Mitigation	EN-1 5.4.35	<p>Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the Applicant should demonstrate that:</p> <ul style="list-style-type: none"> <li>▪ during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</li> <li>▪ the timing of construction has been planned to avoid or limit disturbance;</li> <li>▪ during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;</li> <li>▪ habitats will, where practicable, be restored after construction works have finished;</li> <li>▪ opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site</li> </ul>	<p>In addition to the consideration of restoration, creation, and enhancement of biodiversity outlined in the response above, mitigation measures are proposed within Sections 21.7 and 21.9 of the ES Chapter 21 Onshore Ecology (APP-076) and throughout the OLEMS (APP-284) for avoidance and mitigation measures. Examples of the proposed measures include (but are not limited to):</p> <ul style="list-style-type: none"> <li>▪ Careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</li> <li>▪ Where the Order Limits crosses Local Wildlife Sites and LWT reserves (such as Anderby Creek Sand Dunes LWS), trenchless techniques will be used.</li> <li>▪ An Ecological Clerk of Works (ECOWs) will be employed to oversee construction work and minimise risks to Important Ecological Features (IEFs), as described in the OLEMS</li> </ul>

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		<p>landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised mitigations required as a result of legal protection of habitats or species will be complied with.</p>	<ul style="list-style-type: none"> <li>■ Checks for the presence of badger setts, reptiles, amphibians, hedgehogs and other protected or notable species will be carried out by the ECoW prior to vegetation clearance.</li> <li>■ In response to comments from NE the Project has committed to the retention and protection of bat flight lines during construction using protective fencing (such as Heras) to protect retained hedgerows and trees (including their root structure) from damage during construction. These will further be retained and protected through sensitive lighting design, which will be outlined in the Artificial Light Emissions Management Plan forming part of the final (CoCP).</li> <li>■ The CoCP and associated management plans include measures to reduce construction noise, dust, lighting and other emissions as well as pollution prevention measures and measures to protect and restore soils</li> <li>■ All construction work will be undertaken in accordance with the biosecurity measures outlined in section 3.4 of the OLEMS (APP-284).</li> <li>■ Removal of vegetation will take place outside of the breeding season (considered to be March – August inclusive) wherever possible.</li> <li>■ Seasonal restriction to works within 400m of core areas used by foraging brent geese at the Haven</li> <li>■ Localised working for winter works</li> </ul> <p>In addition to onshore measures, offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul> <p>During the operation and maintenance phase mitigation measures will include a Scour Protection Management Plan (SPMP), while a Decommissioning Programme will be developed for the decommissioning phase. Further details can be found in the Outline Scour Protection and Cable Protection Management Plan (APP-295).</p>
	<p>EN-1 5.4.36 and 5.4.38</p>	<p>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.</p> <p>To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.</p>	<p>The OLEMS (APP-284) acts at the Project’s approach to biodiversity management and is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302).</p> <p>The Outline Landscape and Ecological Management Strategy (OLEMS) (document APP-284) sets out the key landscape and ecology principles to inform the future Landscape Management Plan (LMP) and EMP, which are secured for submission post-consent by a requirement of the draft Development Consent Order (DCO) (APP-303) post consent. The OLEMS presents embedded mitigation with regard to habitat reinstatement, enhancement and creation. The future LMP and EMP would be based on the OLEMS principles and would set out the measures that the Applicant and their contractors would be required to adopt. The future LMP and EMP will be prepared in consultation with the Local Planning Authority (LPA). The OLEMS, therefore, operates as the Biodiversity Management Strategy referenced by NPS EN-1.</p> <p>The effects on geodiversity are considered within Chapter 23 Geology and Ground Conditions Geology and Ground Conditions (APP-078).</p> <p>Overall, through the implementation of mitigation measures, including those specified in the OCoCP (APP-268), it is considered that the likely overall effect of the Project on geodiversity and land use throughout the construction, operation and decommissioning of the Project is not significant in EIA terms.</p>

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Secretary of State decision making	EN-1 5.4.39 and 5.4.41	<p>The Government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The SoS should have regard to the aims and goals of the Government's Environmental Improvement Plan 2023 and in Wales the objectives of the Nature Recovery Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.</p> <p>The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The SoS may take account of any such net benefit in cases where it can be demonstrated.</p>	<p>With regard to biodiversity, the Applicant has committed to several mitigation/compensatory measures to enhance biodiversity. This includes the OLEMS (APP-284) that sets out a number of high quality design measures that will also deliver biodiversity enhancements. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) that outlines the commitment of the Project to adopting BNG. Outer Dowsing Offshore Wind is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities for BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 5.4.42 – 5.4.43	<p>As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.</p> <p>If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the SoS will give significant weight to any residual harm.</p>	<p>Areas of biodiversity and geological interest have been avoided as far as possible in the design of the Project through sensitive routing of the onshore and offshore Export Cable Corridor (ECC), siting of the OnSS and array areas and the location of the landfall zone. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The Applicant has undertaken careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</p> <p>Where features cannot be avoided, the Applicant has proposed suitable mitigation measures, as summarised in the response to NPS EN-1- 5.4.35 above, and where required compensation measures are proposed (as summarised in the response to NPS EN-1 5.4.33-5.4.3). Further details of onshore mitigation and compensation is provided in ES Chapter 21 Onshore Ecology (APP-076) and OLEMS (APP-284). Offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul>
	EN-1 5.4.44	<p>The SoS should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or BNG should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.</p>	<p>The draft DCO (APP-303), includes a requirement (DCO R12) for an ecological management plan (based on the outline landscape and ecological management strategy and reflecting survey results, and the ecological mitigation measures in the Environmental Statement) to be approved by the relevant planning authority in consultation with the relevant SNCB before works can commence for a particular stage of the onshore works. This requirement secures delivery of the principles set out in the OLEMS (APP-284), ES Chapter 21 Onshore Ecology (APP-076) And ES Chapter 22 Onshore Ornithology (APP-077). Confirmation of any maintenance and restoration details (such as timescales), will need to be approved within the final EMP.</p> <p>The draft DCO also includes a requirement (DCO R18) securing submission of a code of construction practice which accords with the Outline Code of Construction Practice (APP-268), and which sets out a number of environmental management plans that must be included in the code of construction practice, all for approval by the local planning authority in consultation with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO prior to commencement of works for a particular stage of the onshore works.</p>

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			Offshore mitigation is secured through the deemed marine licences (dMLs)), with approval required by the MMO prior to commencement.
	EN-1 5.4.45 – 5.4.47	<p>The SoS will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The SoS will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.</p> <p>Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The SoS should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p> <p>When considering proposals, the SoS should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering BNG as part of or in addition to the approach set out at Section 4.6.</p>	<p>Details of other licences can be found within the Other Consents and Licences document (APP-305). When the detailed design of the onshore works is being finalised, discussions of the final project details will be undertaken with Natural England. If necessary, clarification will be sought on the requirement for an EPS Licence and, if required, an application for a licence will be made.</p> <p>It is anticipated that an EPS Licence may be required for disturbance caused by piling activities. When the detailed design of the Project is being finalised, discussions of the final project details will be undertaken with the MMO. If necessary, clarification will be sought on the requirement for an EPS Licence and, if Required, an application for a licence will be made.</p> <p>The DCO contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (licence 1) and one for the offshore transmission assets (licence 2). The DCO also contains four deemed marine licences for the potential artificial nesting structures and one for benthic compensation measures if deemed necessary</p> <p>The Applicant has consulted extensively with the Natural England and MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard for these are outlined in Appendix 5.1.4 of the Consultation Report (Consultation Report Appendix 4B Section 42 Responses (APP-038). The outcomes of the ETGs and EPP process has been recorded in EPP agreement logs submitted as part of Chapter 6 Technical Consultation (APP-061)</p>
	EN-1 5.4.48	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment	<p>The Applicant has assessed the likely significant effects of the Project on the conservation objectives through an ecological evaluation and impact assessment approach based on CIEEM Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland (CIEEM guidelines) (CIEEM, 2022), which are widely regarded as industry best practice.</p> <p>The relevant documents listed below conclude that with the implementation of appropriate mitigation measures (and other than the features identified as requiring an appropriate assessment under the RIAA - see response to NPS EN-1 5.4.26 – 5.4.28 for details ), no significant effects are predicted on internationally, nationally and locally designated sites of ecological conservation importance, protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 21: Onshore Ecology (APP-076);</li> <li>▪ Chapter 22: Onshore Ornithology (APP-077); and</li> <li>▪ Report to Inform Appropriate Assessment (APP-235);</li> </ul>
Secretary of State decision	EN-1 5.4.49	The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (an habitat Site), a	As outlined in the Applicant’s response to paragraph 5.4.25, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent 6.1.2) in order to inform the SoS when

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making -Habitat Regulations		protected marine site or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects.	<p>undertaking the HRA in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>Please see the Applicant's response to paragraph 4.2.9</p>
Secretary of State decision making- Sites of Special Scientific Interest (SSSI)	EN-1 5.4.50	The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	The Applicant has submitted a draft DCO (APP-303) which contains requirements considered necessary to secure the mitigation required to ensure the conservation and enhancement of any affected site's biodiversity.
Secretary of State decision making- Marine Conservation Zones	EN-1 5.4.51	The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	<p>In order to assist the SoS with their duty the Applicant has carried out a Marine Conservation Zone Assessment (APP-157) and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Secretary of State decision making- Regional and Local Sites	EN-1 5.4.52	The Secretary of State should give due consideration to such regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.	ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The onshore Order Limits have been designed to avoid designated sites. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.
Secretary of State decision making- Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN-1 5.4.53	The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.	<p>There are no ancient woodlands within the Order Limits, or within 2km of the Order Limits. There will therefore be no loss or deterioration of ancient woodlands as a result of the Project. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not.</p>

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			Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.
Secretary of State decision making- Protection and enhancement of habitats and other species	EN-1 5.4.54 – 5.4.55	<p>The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.</p> <p>The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.</p>	<p>As outlined within the ecology related chapters of the ES, all species and habitats that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p> <p>Where an adverse effect on a European Site has not been ruled out (Flamborough and Filey Coast SPA in relation to the kittiwake feature), a derogation case has been provided (APP-242), demonstrating IROPI.</p>
<b>EN-1 Part 5.5: Civil and Military Aviation and Defence Interests</b>			
Civil and Military Aviation and Defence Interests	EN-1 5.5.1 – 5.5.4	<p>All aerodromes, covering civil and military activities, as well as aviation technical sites, meteorological radars and other types of defence interests (both onshore and offshore) can be affected by new energy development.</p> <p>Collaboration and co-existence between aviation, defence and energy industry stakeholders should be strived for to ensure scenarios such that neither is unduly compromised.</p> <p>Alongside defence and other infrastructure, energy infrastructure, such as wind turbines, are an established part of the current and expected built energy environment. However, issues such as the cumulative impact, location and increasing geographical spread and height of windfarms, can all potentially have a bearing on aviation safety, defence capabilities and weather warnings and forecasts.</p> <p>Windfarms are an integral part of our plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p>	<p>To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation, defence and energy industry stakeholders including Ministry of Defence (MOD) and NATS.</p> <p>Consultation been conducted through the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process, informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-052).</p> <p>The Applicant has assessed the Project cumulatively with other projects.</p>
Aviation	EN-1 5.5.5- 5.5.7	UK airspace is important for both civilian and military aviation interests. It is essential that new energy infrastructure is developed collaboratively alongside aerodromes, aircraft, air systems and airspace so that safety, operations and capabilities are not	The Project has been developed collaboratively alongside aerodromes, aircraft, air systems and airspace stakeholders (see Chapter 16 Aviation, Radar, Military and Communication (APP-071).

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		<p>adversely affected by new energy infrastructure. Likewise, it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.</p> <p>Commercial civil aviation is largely confined to designated corridors of controlled airspace and set approaches to airports. However, other aircraft often fly outside of 'controlled air space'.</p> <p>The approaches and flight patterns to aerodromes can be irregular owing to a variety of factors including the performance characteristics of the aircraft concerned and the prevailing meteorological conditions. It may be possible to adapt flight patterns to work alongside new energy infrastructure without impacting on aviation safety.</p>	<p>Consultation was conducted through the EIA scoping process and the statutory pre-application consultation process, informed by the PEIR. An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>The airspace above and adjacent to the array is used for both civil and military aircraft and lies within the London Flight Information Region for Air Traffic Control.</p> <p>During the construction phase, the creation of an aviation obstacle environment and increased air traffic related to wind farm construction are both considered not to be significant. During the operation and maintenance phase the creation of an aviation obstacle environment and increased air traffic related to windfarm activities are deemed not significant. A major significant impact is identified concerning specific Primary Surveillance Radar (PSR) systems when there is no mitigation considered. However, mitigation solutions for the impact in specific PSR systems will be agreed with National Air Traffic Services (NATS) and the Ministry of Defence (MOD), and will reduce the impact to not significant.</p> <p>Throughout the decommissioning phase, the removal of the aviation obstacle environment is expected to result in no change, and increased air traffic related to decommissioning activities is considered not significant. The following mitigation measure is proposed, Aviation stakeholders will be made aware of the Project decommissioning via Notices to Airmen (NOTAMs) and obstacle details will be passed to the CAA at least eight weeks before decommissioning commences. No additional mitigation measures are identified, leading to an overall assessment of not significant impact during decommissioning.</p> <p>In summary, the assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p>
Safeguarding	EN-1 5.5.8 – 5.5.20	<p>Certain civil aerodromes, and aviation technical sites, selected on the basis of their importance to the national air transport system, are officially safeguarded in order to ensure that their safety and operation are not compromised by new development. A similar official safeguarding system applies to all military aerodromes, defence surveillance sites, and other defence assets.</p> <p>Areas of airspace around aerodromes used by aircraft, including taking off or on approach and landing are described as "Obstacle Limitation Surfaces" (OLS). All civil aerodromes licensed by the Civil Aviation Authority (CAA) and all military aerodromes must comply with the OLS. These are defined according to criteria set out in relevant CAA guidance for licensed civil aerodromes and according to MOD criteria, as set by the Military Aviation Authority, which is part of the Defence Safety Authority (DSA), for military aerodromes.</p> <p>Aerodromes that are officially safeguarded will have officially produced plans that show the OLS. Care must be taken to ensure that new developments do not infringe these protected OLS except where an aerodrome operator has considered the development and either determined there to be no adverse impact or agreed an acceptable</p>	<p>See responses to Paragraphs 5.5.1 – 5.5.4 and 5.5.5- 5.5.7 which shows the Applicant's approach to consultation which will ensure safeguarded sites will not be impacted as a result of the Project. To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation and defence stakeholders including Ministry of Defence (MOD) and the Civil Aviation Authority (CAA). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>There are a number of small airfields/air strips within relatively close proximity to the onshore ECC. However, none of the onshore activities proposed would result in any of the potential risks to aviation as presented in EN-1.</p> <p>See Table 16.1 in Chapter 16.</p>

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		<p>mitigation can be put in place, as these encompass the critical airspace within which key air traffic associated with the aerodrome operates.</p> <p>The CAA’s CAP sets out that all licensed aerodromes are required to ensure they have a system in place to safeguard their aerodrome against the growth of obstacles or activities that may present a hazard to aircraft operations.</p> <p>The certified Safeguarding maps for all aerodromes (both licensed and unlicensed) depicting the OLS and other criteria (for example to minimise “birdstrike” hazards) are deposited with the relevant LPAs.</p> <p>The CAA makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator.</p> <p>There are also “Public Safety Zones” (PSZs) at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Maps showing the PSZs are deposited with the relevant LPAs. DfT Circular 01/2010 provides advice to local planning authorities on Public Safety Zones.</p> <p>The military Low Flying system covers the whole of the UK and enables low flying activities as low as 75m (mean separation distance). A considerable amount of military flying for training purposes is conducted at as low as 30m in designated Tactical Training Areas (TTAs) in mid Wales, Cumbria, the Scottish Border region and in the Electronic Warfare Range in the Scottish Border area. In addition, military helicopters may operate down to ground level.</p> <p>New energy infrastructure may cause obstructions in MOD low flying areas. A balance must be struck between defence and energy needs in these areas.</p> <p>Sufficient air training space and space for civil operations will be required and operation around structures such as wind turbines will become increasingly important as the number of these structures increase.</p>	
Communications, navigation and surveillance (CNS) infrastructure	EN-1 5.5.21 – 5.5.28	<p>Safe and efficient operations within UK airspace and defence operations are dependent upon Communications, Navigation and Surveillance (CNS) infrastructure, including radar (often referred to as ‘technical sites’).</p> <p>Energy infrastructure development may interfere with the operation of CNS systems such as radar. This is a particular problem for wind turbines as they can act as a reflector or diffractor of radio signals upon which Air Traffic Control Services and Air Defence Operations rely (an effect which is particularly likely to arise when large structures, such as wind turbines, are near Communications and Navigation Aids and technical sites).</p> <p>Wind turbines may also cause false returns and other technical issues when built in line of sight to radar installations.</p> <p>Windfarms are an integral part of the plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an official ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p> <p>Whilst it is hoped that future surveillance technologies will enable civil and military aviation, defence and meteorological surveillance providers and windfarms to meet coexistence challenges, it should not be assumed, however, that there will be sufficient advancement in surveillance technologies to meet all future requirements. A “system of systems” approach may help address the impacts on air surveillance and routine air</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Chapter 16 Aviation, Radar, Military and Communication (APP-071) confirms that the Project will result in no measurable effects upon other terrestrial based aviation CNS systems as the Project is considerably outside applicable safeguarding limits pertaining to such CNS infrastructure. NATS apply a 10km safeguarded zone around route navigation aids, and the Array area is 54km from the nearest coastline. Therefore, terrestrial CNS infrastructure (other than PSR) is not considered in detail within Chapter 16, as no sites will be affected.</p> <p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly accelerate the decarbonisation of the power sector by 2030. Substantial weight should therefore be ascribed to the balance of considerations and the presumption in favor of such developments should apply.</p>

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		<p>traffic control operations for those windfarms that exist when radar or other surveillance systems are procured, however this can add complexity to aviation safety assurance and operating practices.</p> <p>Surveillance methods that rely on cooperation alone, such as Automatic Dependent Surveillance – Broadcast (ADS-B) or Secondary Surveillance Radar transponders, are not sufficient to meet the UK’s security and national defence requirements nor would they assure the flight safety of air traffic from non-cooperative threats.</p> <p>MOD recognises that the environmental Baseline includes existing windfarms and any mitigation solutions that have been established to support them when procuring future radar systems.</p> <p>As existing CNS infrastructure reaches the end of its operational life, replacement options that are more tolerant of wind turbines, if available, should be installed by CNS owners/operators to futureproof, so far as is practicable, aerodromes against possible future turbine installations in order to maintain or enhance aviation safety. This should be considered on a case-by-case basis, so that the correct solution(s) are identified which strike the balance between surveillance quality/needs and reasonableness of costs being achieved, whilst maintaining safety.</p> <p>Applicants should provide relevant information on proposed developments to enable CNS owners/operators to consider upgrades appropriately.</p>	
Weather warnings and forecasts	EN-1 5.5.29 -5.5.32	<p>The UK weather radar network is composed of 15 weather radars that are operated and maintained by the Met Office. Each radar provides data out to 255km that underpin the Public Weather Service and the provision of critical meteorological information to a range of stakeholders including aviation, defence, civil contingencies, and the wider UK population, and in the case of severe weather, through the National Severe Weather Warning Service (NSWWS).</p> <p>Weather radars are currently the only means of detecting the presence and location of precipitation in real time. The main hazard from precipitation is flooding and assessment of the potential flood impacts are carried out in consultation with the UK’s authoritative flood agencies.</p> <p>Some energy structures, such as wind turbines, have the potential to adversely impact weather radar signals, even beyond 100km from the radar. This can lead to downstream impacts in meteorological and hydrological warning systems that use radar data, which in turn decreases the credibility of warning systems. For example, when the size of the affected area exceeds the typical size of storms, warning systems may miss the initial stages of a significant rainfall event, which can cause delays in issuing warnings.</p> <p>The Met Office protects its weather radars by engaging in the formal planning consultation process. Met Office weather radars are officially safeguarded and as per Secretary of State direction will be consulted directly on all relevant applicable planning applications within safeguarded zones by local planning authorities.</p>	The closest Met Office weather radar to the Array area is located at Ingham in Lincolnshire, 106km to the west. At a minimum range of 106km, WTGs within the array area will be significantly beyond the 20km safeguarded zone established around Ingham weather radar, and therefore unlikely to have a significant impact. As such, the potential impacts to this receptor have been scoped out of the assessment.

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Other defence interests	EN-1 5.5.33 – 5.5.36	<p>The MOD operates military training areas, military danger zones (offshore Danger and Exercise areas), military explosives storage areas and TTAs. There are extensive Danger and Exercise Areas across the UKCS for military firing and highly surveyed routes to support government shipping that are essential for national defence. In addition, the MOD retains defence maritime navigational capabilities throughout the UKCS to maintain national defence.</p> <p>Other operational defence assets may be affected by new development, for example non-aviation technical equipment such as: the Seismological Monitoring Station at Eskdalemuir; maritime acoustic facilities; communications installations including satellite ground stations; and range control radars.</p> <p>It is important that new energy infrastructure does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p> <p>The Joint industry and government Air Defence and Offshore Wind Mitigation Task Force was set up to enable the co-existence of UK Air Defence and offshore wind. The Strategy and Implementation Plan sets the direction for that collaboration. The recommendations generated from this Task Force should be referred to by both defence and energy stakeholders.</p>	<p>The Project does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p>
Applicant Assessment	EN-1 5.5.37 – 5.5.40	<p>Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).</p> <p>The requirement for Air Traffic Control (ATC) and non-cooperative surveillance – i.e. radar/tracking technologies - forms part of the environmental Baseline for proposed developments.</p> <p>The Applicant should consult the MOD, Met Office, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.</p> <p>Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Potential effects are assessed in ES Chapter 16 Aviation, Radar, Military and Communication (APP-071) and consultation undertaken with relevant civil and military aviation stakeholders is detailed. Effects on civil and military aviation during the Project phases are assessed alongside cumulative impacts.</p> <p>For civil and military radar, relevant stakeholders, including the MoD, CAA, and NATS, have been invited to meetings as a forum to discuss the potential effects on aviation and radar in the area. Consultation with relevant stakeholders was ongoing throughout the pre-application process, allowing for consultation on the potential impacts arising from the Project. This is discussed in more detail within ES Volume 1, Chapter 16: Aviation, Radar, and Military and Communication (APP-071).</p>
	EN-1 5.5.41	<p>In addition, consideration of developments near aerodromes should take into account the following factors:</p> <ul style="list-style-type: none"> <li>▪ Bird Strike Risk - Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings, and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary).E</li> </ul>	<p>There are a number of small airfields/air strips within relatively close proximity to the ECC. However, none of the activities proposed would result in any of the potential risks to aviation as presented in EN-1. The closest radar-equipped airfields to the array area are Humberside Airport, 90km to the west, and Norwich Airport, 90km south of the array area. Effects on civil and military aviation during the Project phases are assessed including aerodromes in Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071) and are not significant under EIA Regulations.</p>

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		<ul style="list-style-type: none"> <li>▪ Building Induced Turbulence - If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure.</li> </ul> <p>Thermal Plume Turbulence - This is caused under certain conditions by the release of hot air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft.</p>	
	EN-1 5.5.42	If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the Applicant to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible.	The Applicant volunteered for the Project to be part of the NSIP Reform Early Adopter Programme which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions. set out in each of the NPSs. As such, the Applicant has ensured throughout the pre-examination process and will continue to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible of any changes.
Mitigation	EN-1 5.5.43- 5.5.44	<p>The Applicant should include appropriate mitigation measures as an integral part of the proposed development.</p> <p>Mitigation for infringement of OLS may include:</p> <ul style="list-style-type: none"> <li>▪ agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome against pre-COVID-19 levels); or</li> </ul> <p>installation of obstacle lighting and/or by notification in Aeronautical Information Service publications</p>	<p>A range of embedded mitigation measures, including adhering to all relevant CAA safety guidance, the creation of an Emergency Response Co-Cooperation Plan (ERCoP), notification to aviation stakeholders, lighting and marking to minimise effects to aviation flight would apply to the Project, as described within Section 16.5 and Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071). The detail of above mitigation measures will also be agreed in consultation with appropriate stakeholders. Aviation stakeholders will be made aware of the Project via NOTAMs and obstacle details will be passed to the CAA at least eight weeks before construction commences. CAA will forward the information to MOD DGC and NATS AIS for inclusion in the AIP and on relevant civil and military aeronautical charts. Marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p> <p>The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are being discussed with NATS and MOD.</p>
	EN-1 5.5.45	<p>For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include:</p> <ul style="list-style-type: none"> <li>▪ operational airspace changes</li> <li>▪ agreement to upgrade CNS infrastructure, the cost of which the Applicant will be required to fund until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the Applicant will be required fund any future upgrade for the lifetime of the wind farm. MOD will engage early with developers to ensure the costs are reflective of their need and impacts of the energy installation on the monitoring equipment.</li> </ul> <p>introducing commercially viable radar mitigation technology to the development, e.g. by using non-radar reflecting materials to manufacture wind turbine blades.</p>	
	EN-1 5.5.46 – 5.5.48	Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way of a reduction or alteration in the scale of development. There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in	

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		<p>proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity.</p> <p>Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.</p>	
Secretary of State decision making	EN-1 5.5.49 – 5.5.50	<p>The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets have been addressed by The Applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.</p> <p>In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar / tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.51	<p>When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.</p>	<p>There are no operational changes proposed to aerodromes and therefore this does not need to be considered.</p>
	EN-1 5.5.52 – 5.5.53	<p>In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised.</p> <p>If there are conflicts between the government’s energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK’s energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.</p>	<p>Refer to comment for paragraphs 5.5.29 -5.5.32; the Project will not have significant impacts on UK weather radar as outlined within Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.54	<p>There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.</p>	<p>The Air Navigation Order 2016/765 (CAA, 2022) implements the UK’s obligations under the convention on international civil aviation and regulates aspects of aviation safety.</p> <p>The Applicant will comply with statutory requirements as secured in the draft DCO. The Applicant is committed to making and lighting the Project in accordance with relevant industry guidance and as advised by relevant stakeholders including the MCA, CCA and Trinity House.</p>
	EN-1 5.5.55 – 5.5.56	<p>Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.</p>	<p>Refer to comment for Paragraph 5.5.54.</p>

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		Where new technologies to mitigate the adverse effects of wind farms on surveillance systems, such as radar, are concerned, the Secretary of State should have regard to any Civil Aviation Authority Guidelines and/or government guidance which emerges from the joint government/Industry Aviation Management Board and the Joint Air Defence and Offshore Wind Task Force.	
	EN-1 – 5.5.57 – 5.5.58	Where suitable technological solutions have not yet been developed or proven, the Secretary of State will need to consider the likelihood of a solution becoming available within the time limit for implementation of the Development Consent Order.  Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of ‘Grampian conditions’, or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment.	The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar systems, for which mitigation solutions are being discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
	EN-1 5.5.59	Where, after reasonable mitigation, operational changes, obligations, and requirements have been proposed, the Secretary of State should consider whether: <ul style="list-style-type: none"> <li>▪ a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs;</li> <li>▪ it would cause harm to aerodromes’ training or emergency service needs;</li> <li>▪ the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training;</li> <li>▪ the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure.</li> </ul> the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UKs flood agencies	The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.  Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).
	EN-1 5.5.60	Provided that the Secretary of State is satisfied that the impacts of proposed energy developments do not present risks to national security and physical safety, and where they, provided that the Secretary of State is satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to any Development Consent Order to secure those mitigations, consent may be granted.	Marking and lighting requirements are discussed in Chapter 16 Aviation, Radar, Military and Communication (APP-071) in accordance with ANO Article 223, lighting intensity will be reduced at and below the horizontal and further reduced when visibility in all directions from every WTG is more than 5km.  The generation and transmission deemed marine licences include a condition (Condition 10 Aviation safety) requiring the undertaker to notify the Defence Infrastructure Organisation Safeguarding regarding the construction of the scheme and its parameters. This is a standard condition and follows the wording of the same condition in other consented schemes.
<b>EN-1 Part 5.6: Coastal change</b>			
Coastal Change	EN-1 5.6.1 – 5.6.3	The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The government’s aim is to ensure that our coastal communities continue to prosper and adapt to coastal change. This means planning should:	A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003). The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ ensure that policies and decisions in coastal areas are based on an understanding of coastal change over time</li> <li>▪ prevent new development from being put at risk from coastal change by: <ul style="list-style-type: none"> <li>▪ avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast</li> <li>▪ directing development away from areas vulnerable to coastal change</li> </ul> </li> <li>▪ ensure that the risk to development which is, exceptionally, necessary in coastal change areas because it requires a coastal location and provides substantial economic and social benefits to communities, is managed over its planned lifetime</li> <li>▪ ensure that plans are in place to secure the long-term sustainability of coastal areas</li> </ul> <p>For the purpose of this section, coastal change means physical change to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.</p>	<p>associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p>
	EN-1 5.6.4 – 5.6.9	<p>Where Onshore infrastructure projects are proposed on the coast, coastal change is a key consideration as well as a vital element of climate change adaptation (see Section 4.10).</p> <p>Some kinds of coastal change happen very gradually, others over shorter timescales. Some are the result of purely natural processes others, including potentially significant modifications of the coastline or coastal environment resulting from climate change, are wholly or partly man-made. This section concerns both the impacts which energy infrastructure can have as a driver of coastal change, and how to ensure that developments are resilient to ongoing and potential future coastal change.</p> <p>The construction of an onshore energy project on the coast may involve, for example, dredging, dredge spoil deposition, cooling water, culvert construction, marine landing facility construction and flood and coastal protection measures which could result indirect effects on the coastline, seabed and marine ecology and biodiversity. Additionally, indirect changes to the coastline and seabed might arise as a result of a hydrodynamic response to some of these direct changes. This could lead to localised or more widespread coastal erosion or accretion and changes to offshore features such as submerged banks and ridges, marine biodiversity and heritage assets.</p> <p>This section only applies to onshore energy infrastructure projects situated on the coast. The impacts of offshore renewable energy projects on marine life and coastal geomorphology are considered in EN-3.</p> <p>Section 5.4 on biodiversity and geological conservation, Section 5.8 on flood risk and Section 4.10 on adaptation to climate change, including the increased risk of coastal erosion, are also relevant, as is advice on access to coastal recreation sites and features in Section 5.11 on land use. Advice on the historic environment in Section 5.9 may also be relevant.</p>	<p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p> <p>The effects of the Project on marine ecology, biodiversity and protected sites are considered elsewhere in the ES within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11: Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067); and</li> <li>▪ RIAA (APP-235).</li> </ul> <p>The effects of the Project on maintaining coastal recreation sites and features are set out in Chapter 18 Marine Infrastructure and Other Users (APP-073).</p>
Applicant Assessment	EN-1 5.6.10	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	An assessment of the potential impacts and predictions of the Project on Marine Physical Processes using the evidence base, project specific Baseline characterisation and project specific numerical modelling is provided in Chapter 7 Marine Physical Processes (APP-062).
	EN-1 5.6.11	The ES (see Section 4.3) should include an assessment of the effects on the coast, tidal rivers, and estuaries. In particular, applicants should assess:	The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) for the construction, O&M and decommissioning phases. The

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes The Applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast</li> <li>▪ the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area)), any relevant Marine Plans, River Basin Management Plans(RBMP), and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas</li> <li>▪ the effects of the proposed project on marine ecology, biodiversity, protected sites, and heritage assets</li> <li>▪ how coastal change could affect flood risk management infrastructure, drainage, and flood risk</li> <li>▪ the effects of the proposed project on maintaining coastal recreation sites and features.</li> </ul> <p>the vulnerability of the proposed development to coastal change, taking account of climate change, during the Project’s operational life and any decommissioning period</p>	<p>impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of this chapter.</p> <p>Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). This will mitigate the impact of cable protection upon beach morphology and littoral sediment transport. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003).</p> <p>The vulnerability of the Project to coastal change is considered in the context of Landfall infrastructure in Chapter 7 Marine Physical Processes (APP-062). As noted in the response to NPS EN-1 5.6.4 – 5.6.9, The presence of annual beach nourishment means that the choice of location for the onshore HDD works and jointing bay is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change, for as long as the ‘hold the line’ strategy is in place.</p>
	EN-1 5.6.12	<p>For any projects involving dredging or deposit of any substance or object into the sea, The Applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with LNG tanker deliveries to LNG import facilities.</p>	<p>Consultation has been undertaken through the scoping process and further consultation related to impacts from dredging and deposit is detailed in Chapter 7 Marine Physical Processes (APP-062), Chapter 8: Marine Water and Sediment Quality (APP-063), Chapter 9 Benthic and Intertidal Ecology (APP-064) and Chapter 10 Fish and Shellfish Ecology (APP-065).</p> <p>The Applicant has consulted with the MMO and Historic England as to the need for dredge and disposal works, and an associated disposal site, for offshore works, and provided a Site Characteristics Report which provides the regulator with adequate information to designate a disposal site for the construction phase.</p>
	EN-1 5.6.13	<p>The Applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of MPAs. These could include MCZs, habitat sites including SAC and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identify any effects on the special character of Heritage Coasts.</p>	<p>The locations of designated sites are shown in Figure 7.9 in Chapter 7 Marine Physical Processes Figures (APP-093 to APP-094) with potential impacts considered in Section 7.12 of Chapter 7 Marine Physical Processes (APP-062).</p> <p>A list of designated sites within the Marine Physical Processes ZoI, with detail of the relevant protected features, is provided below:</p> <ul style="list-style-type: none"> <li>▪ North Norfolk Sandbanks and Saturn Reef SAC</li> <li>▪ Inner Dowsing, Race Bank and North Ridge SAC</li> <li>▪ Chapel Point – Wolla Bank SSSI</li> </ul> <p>A standalone RIAA (APP-235) and a MCZ Assessment (APP-157), has been produced detailing all matters associated with statutory designations.</p> <p>The MCZ Assessment (APP-157) has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in Chapter 9 Benthic and Intertidal Ecology (APP-064) and the RIAA (APP-235).</p>
	EN-1 5.6.14	Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.	<p>In line with paragraphs 4.3.1 to 4.3.9 of this NPS, An ES (APP-051) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022). The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects.</p> <p>ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>The ES includes Chapter 7 Marine Physical Processes (APP-062) which provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change. Section 7.5 of the Chapter sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment. The chapter highlights that the preferred Environment Agency management strategy in place along this part of the coast from 2025 to 2055 is to maintain flood defences in their current position and to raise and improve them to counter sea level rise as required.</p> <p>Section 7.9 of the chapter specifically provides the relevant mitigation measures that were identified and adopted as part of the evolution of the Project’s design (embedded into the project design) and that are relevant to physical processes.</p> <p>As such it is considered that the Project is in accordance with paragraph 5.6.14 of EN-1.</p>
Mitigation	EN-1 5.6.15	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change, which is considered in Chapter 31 Climate Change (APP-085).</p> <p>Section 7.9 of Chapter 7 Marine Physical Processes (APP-062) sets out mitigation that were identified and adopted as part of the evolution of the project design (embedded into the project design) and that are relevant to physical processes (listed in Table 7.4).</p> <p>The Project has committed to a range of mitigation measures to reduce impacts, such as installing landfall cables within cable ducts installed using HDD technology. The Project will undertake a detailed Cable Burial Risk Assessment as part of its Cable Specification and Installation Plan which will be agreed with the MMO prior to construction</p>
Secretary of State decision making	EN-1 5.6.16	The Secretary of State should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the Project's operational life and any decommissioning period. Proposals which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure.	<p>Full account has been taken of this policy in the ES accompanying the Project application (APP-055). Potential changes in climate are described in Chapter 31 Climate Change (APP-086) and are considered alongside predicted impacts.</p> <p>The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location and sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.16 of EN-1.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.6.17	The Secretary of State should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>As noted in the response to NPS EN-1 5.6.16 above, the proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change. In addition, the assessment of impacts associated with modifications to littoral transport and coastal behaviour concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p>
	EN-1 5.6.18	The Secretary of State should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>The Applicant has committed to provision of Construction Method Statements and a Cable Specification and Installation Plan within the Marine Licence Principles document (Document no. 9.12) which will capture the proposed approach to installation. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Pre construction and Post construction monitoring were both proposed conditions within the deemed marine licence and will require approval by the MMO.</p>
	EN-1 5.6.19	The Secretary of State should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e., coast on site, and site on coast.	<p>The Baseline receiving environment, and the predicted impact of the proposed project on coastal processes (including coastal protection) and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) and ES Chapter 7 Appendix 1 Physical Processes Technical Baseline (AS-003). The assessment considers the nature of ongoing shoreline change at the landfall and the potential for cables and other project infrastructure to impact coastal processes</p> <p>As noted in the response to NPS EN-1 5.6.1 – 5.6.3, historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The chapter concludes that there will be no significant effect as a result of the Project.</p>
	EN-1 5.6.20	The Secretary of State should consult the MMO on projects which could impact on coastal change in England, or NRW for projects in Wales, since the MMO or NRW may also be involved in considering other projects which may have related coastal impacts.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul> <p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p>
	EN-1 5.6.21 – 5.6.22	<p>In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents, in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.</p> <p>The Secretary of State should also have regard to any relevant Shoreline Management Plans.</p>	<p>The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and MPS policy tests of relevance to the consideration of marine physical processes. Table 7.1 specifically provides reference to the relevant SMP (Environment Agency (2019a), 'Saltfleet to Gibraltar Point Strategy'), which has been considered within the assessment.</p>
	EN-1 5.6.23	<p>Substantial weight should be attached to the risks of flooding and coastal erosion and the Secretary of State should be satisfied that The Applicant has taken full account of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.</p>	<p>Potential changes in climate and erosion are described in Appendix 7.1 Physical Processes Technical Baseline (AS-003) and are considered alongside predicted changes identified in the assessment for each stage of the development in Chapter 7 Marine Physical Processes (APP-062).</p> <p>This includes potential impacts on coastal behaviour at the landfall site.</p> <p>The assessment concludes that the effect on the coast at the Project landfall is not significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.23 of EN-1.</p>
<b>EN-1 Part 5.7: Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation</b>			
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation	EN-1 5.7.1	<p>During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. However, they are not regulated by the environmental permitting regime, so mitigation of these impacts will need to be included in the Development Consent Order.</p>	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074).</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Applicant has provided a Statutory Nuisance Statement (APP-301) which draws upon the ES to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297).</p> <p>The Project has also identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas that could suffer from nuisance are located away from the Project's infrastructure elements (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Throughout the ES, the Project proposes several mitigation measures to limit nuisance. For example, the Outline Code of Construction Practice (APP-268), and associated environmental management plans, will ensure that the Project complies with best practice measures and standard protocol to limit impacts from dust and artificial lighting.
	EN-1 5.7.3	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the applicant and Secretary of State.	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074). The assessment of dust emissions considers the following works: demolition, earthwork, construction and track out. Further details of the dust assessment can be found within Volume 3, Annex 19.1: Construction Phase Dust Assessment Methodology (APP-176). With the use of effective mitigation measures, as outlined in Annex 19.1 (APP-176) residual effects are considered to be not significant in terms of the EIA Regulations.</p> <p>With the use of effective mitigation measures, as outlined in Outline Air Quality Management Plan (APP-270), including general works measures, earthworks, trackout and maintenance and monitoring of the site residual effects are considered to be not significant in terms of the EIA regulations.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting during the hours of darkness; no significant impacts will arise from the Project with appropriate mitigation measures put in place (as set out ion the Outline Code of Construction Practice (APP-268)).</p>
	EN-1 5.7.4	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	<p>The Project has assessed the potential impacts on amenity within Chapter 29 Socio-Economic Characteristics (APP-084) and Chapter 25 Land Use (APP-080).</p> <p>Several long-distance and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however none will be closed temporarily without offering a diversion or alternative route as detailed in the Outline Public Access Management Plan (PAMP) (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p>
Applicant assessment	EN-1 5.7.5	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.	<p>The Project would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>
	EN-1 5.7.6	<p>In particular, the assessment provided by the Applicant should describe:</p> <ul style="list-style-type: none"> <li>▪ the type, quantity, and timing of emissions</li> <li>▪ aspects of the development which may give rise to emissions;</li> <li>▪ premises or locations that may be affected by the emissions;</li> <li>▪ effects of the emission on identified premises or locations;</li> </ul> <p>measures to be employed in preventing or mitigating the emissions</p>	<p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted in consideration of the different onshore activities and phases of the development with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>

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	EN-1 5.7.7	The Applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	<p>The Applicant has undertaken consultation with the relevant local planning authority regarding the air quality assessment.</p> <p>Section 19.5 of Chapter 19 Onshore Air Quality (APP-074) outlines the scope of the air quality assessment, which has been informed by both national and local planning policy and guidance, which establish best practice and experience, as well as via the consultation process with relevant consultees. This is alongside advice provided within the Scoping Opinion from The Planning Inspectorate (The Planning Inspectorate, 2022).</p> <p>The air quality assessment and assessment of the effects of visual amenity from the use of artificial lighting during the hours of darkness were included within the Preliminary Environmental Information Report (PEIR), that was published in June 2023 as part of Statutory Consultation on the Project. Feedback from local planning authorities has been incorporated within the submitted ES chapters.</p>
Mitigation	EN-1 5.7.8	<p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated</li> <li>▪ lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material</li> </ul> <p>administrative: limiting operating times; restricting activities allowed on the site; implementing management plans</p>	The Applicant has committed to provision of Construction Method Statements alongside the CoCP and associated environmental management plans (including an Air Quality Management Plan, Pollution Prevention and Emergency Incident Response Plan), that capture the applicable requirements of Paragraph 5.7.8. The Applicant has also submitted information limiting operating times, restricting activities allowed on the site and implementing management plans within the Outline Code of Construction Practice (APP-268).
	EN-1 5.7.9	Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.	<p>An Outline Code of Construction Practice (CoCP) (APP-268) is part of a suite of documents that support the DCO application submitted by the Applicant. The Outline CoCP sets out the general principles and management measures to be adopted during construction of the Onshore Infrastructure associated with the Project.</p> <p>A final CoCP will be produced and submitted to the relevant planning authority for approval prior to construction of the onshore infrastructure and will be in accordance with the principles established in the Outline CoCP. This is secured by Requirement 18 of the draft DCO (APP-303). The final CoCP will provide the mechanism to assure relevant regulatory authorities that environmental impacts associated with the construction of the Onshore Infrastructure will be controlled and mitigated.</p> <p>The majority of the detailed management measures to be captured in the CoCP are set out within the following respective outline environmental management plans</p> <ul style="list-style-type: none"> <li>▪ Outline Noise and Vibration Management Plan (APP-269)</li> <li>▪ Outline Air Quality Management Plan (APP-270)</li> <li>▪ Outline Soil Management Plan (APP-271)</li> <li>▪ Outline Pollution Prevention and Emergency Incident Response Plan (APP-272)</li> <li>▪ Outline Surface Water Drainage Strategy (APP-273)</li> <li>▪ Outline Site Waste Management Plan (APP-274)</li> </ul> <p>A Schedule of Mitigation (APP-287) is also provided with the DCO application, which provides a summary of the mitigation identified for the Project including embedded mitigation measures, which have been designed into the project</p>

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			For example, the Outline Air Quality Management Plan includes the proposal “Where feasible and commercially available, ensure equipment complies with the latest (Stage V) emission standards.”
	EN-1 5.7.10 – 5.7.11	Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. A construction management plan may help clarify and secure mitigation.	<p>The Applicant has committed to provision of Construction Method Statements. No explosive demolition is proposed as part of the construction of the development.</p> <p>If UXO are identified on the seabed following pre-construction surveys the Applicant will apply for a separate marine licence.</p> <p>In respect of the decommissioning of the Project, DCO Requirement 24 requires the undertaker to notify the relevant planning authority of the date of the permanent cessation of commercial operation of the onshore transmission works and provides that following the cessation, an onshore decommissioning plan in respect of the onshore transmission works must be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body. DCO Requirement requires an offshore decommissioning programme to be submitted to the Secretary of State prior to the commencement of offshore works.</p>
	EN-1 5.7.12	<p>The Secretary of State should satisfy itself that:</p> <ul style="list-style-type: none"> <li>an assessment of the potential for artificial light, dust, odour, smoke, steam, and insect infestation to have a detrimental impact on amenity has been carried out;</li> </ul> <p>that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts</p>	Management strategies proposed are adequate to minimise any detrimental impacts and are adequately secured within the DCO to ensure impacts are minimized. The potential for impacts to occur as a result of dust or artificial lighting have been assessed within the EIA process and significant effects are not predicted to occur. Appropriate mitigation is proposed through the CoCP (Outline Code of Construction Practice (CoCP) (APP-268)) and associated environmental management plans. The Project is therefore in accordance with NPS EN-1 paragraph 5.7.12
	EN-1 5.7.13-5.7.14	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should, disapply in whole or in part the defence through a provision in the DCO. Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures.	<p>A Statutory Nuisance Statement (APP-301) details possible sources of any statutory nuisance and how this might be mitigated or limited, through embedded design or management measures.</p> <p>With appropriate measures in place (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans), it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation.</p> <p>Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p>
	EN-1 5.7.15	In particular, the Secretary of State should consider whether to require The Applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The	A Statutory Nuisance Statement (APP-301) details the possible sources of statutory nuisance and how this might be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise

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		Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	<p>potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the outline Code of Construction Practice (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans). Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p> <p>Some impact on amenity for local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum.</p>
<b>EN-1 Part 5.8: Flood Risk</b>			
Flood Risk	EN-1 5.8.1 – 5.8.3	<p>Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial disruption and damage to property.</p> <p>The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management.</p> <p>The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The industry should consider any updates to government policy and apply updated approaches as a matter of priority.</p>	<p>The potential hydrological receptors in the study area comprise the tidal and fluvial floodplain; various watercourses, including Main Rivers and ordinary watercourses or drains; groundwater; and the near-shore tidal waters of the North Sea. These receptors vary in their environmental sensitivity</p> <p>Chapter 24 Hydrology and Flood Risk (APP-079) concludes that through the implementation of mitigation measures, including those specified in the Outline Code of Construction Practice (APP-268), and a surface water drainage scheme for the OnSS to ensure the runoff rates to the surrounding water environment are managed at rates agreed with the relevant regulatory authority, it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p> <p>The assessment is informed by and supported by the information contained within the following flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul>
	EN-1 5.8.5 – 5.8.6	<p>Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; The Applicant and the Secretary of State should take account of the policy on climate change adaptation in Section 4.10.</p> <p>The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>Flood risk has also been considered for the life of the development (from the construction-decommissioning stages in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</p>

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	EN-1 5.8.7 – 5.8.8	<p>Where new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood.</p> <p>Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are or will be at unacceptable risk of flooding, should be supported where it would result in climate-resilient infrastructure.</p>	<p>Flood risk has been a guiding influence on the siting of the onshore infrastructure and the Applicant has undertaken sequential testing as discussed in sections 8.3 (OnSS) and 9.2(Onshore ECC) of ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The sequential test and exceptions Tests are included in the Flood Risk Assessments submitted alongside ES Chapter 24 Hydrology and Flood Risk (APP-079) as contained in Appendices 24.2 Flood Risk Assessment (Onshore ECC and 400kV cable corridor and 24.3 Flood Risk Assessment (OnSS) (APP-211 and APP-212 respectively).</p> <p>Whilst this is not possible for the entirety of the Project, the FRAs (see APP-211 and APP-212) demonstrate that, as a result of the proposed mitigation, the Project will not result in significant effects with respect to flood risk.</p>
	EN-1 5.8.9 – 5.8.11	<p>If, following application of the Sequential Test, it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied as defined in <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2">https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2</a>. The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.</p> <p>The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example AONBs, SSSIs and World Heritage Sites (WHS) which would not usually be considered appropriate.</p> <p>Both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that:</p> <ul style="list-style-type: none"> <li>▪ the project would provide wider sustainability benefits to the community that outweigh flood risk; and</li> </ul> <p>the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.</p>	<p>ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines that flood risk has been a guiding influence on the siting of the OnSS (see Sections 8.3 and 9.2 for discussion on the OnSS and Onshore ECC respectively within the chapter.)</p> <p>Flood Risk reporting has been undertaken within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>Sections of the OnSS and ECC are located within flood zones 2 and 3. Therefore, in line with statutory guidance the sequential and exception tests have been applied within the above FRAs, which both conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <p>With regard to the OnSS, the area within the vicinity of the connection point is characterised by Flood Zone 3, with only a small number of pocket areas which are designated as Flood Zone 1 and 2. There were no sites large enough of flood zone 1 and 2 to accommodate the OnSS in its entirety. Each of the pocket areas were reviewed, and in comparison to the adopted site, were either considered to have a higher flood risk due to their proximity to the River Welland (and therefore at higher flood risk in a breach scenario). ; or, were unable to accommodate the OnSS due to size constraints. The Applicant, while not able to wholly apportion their site on flood risk zone 1 or 2, continued to consider the small pockets of lower flood risk while also consulting supporting data and materials to aid in a site definition with the best possible flood resilience and did identify a suitable site partially in flood zone 2</p>
	EN-1 5.8.12	<p>Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques</p>	<p>With regard to the onshore ECC, given the extent of flood zone 3 between the landfall and connection point, locating the onshore ECC outside of this flood zone would require a significant diversion (with an approximate 20km of additional cable) which would not be technically deliverable.</p> <p>The Project is an NSIP for renewable energy generation and so demonstrates wider sustainability benefits to the community that outweigh flood risk. As such it is considered that the first part of the Exception Test is passed.</p> <p>The flood risk modelling (as set out in the FRAs) has shown that during the operational phase of the onshore ECC, the Project will not be at risk of flooding, and will not increase flood risk elsewhere. The onshore ECC will only be at potential risk of flooding during the construction phase, which could lead to a temporary increase in flood risk elsewhere during this phase. It is proposed that this is managed through</p>

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			<p>appropriate mitigation measures comprising a Flood Management and Response Plan and Surface Water Drainage Strategy for the construction phase which will be submitted as part of the final CoCP.</p> <p>Based on the outcomes of the modelling undertaken and the findings of this as presented in Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212, including the mitigation measures outlined in the FRA (including design elements and an evacuation, access and egress measures), it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.</p> <p>This is following the proposed mitigation which includes an Outline Surface Water Drainage Strategy (SWDS) (document APP-273) and an Outline Code of Construction Practice (document APP-268) which set out the principles and protocols to address potential drainage and flooding issues.</p> <p>As summarised above, with further detail provided within the respective FRAs it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, meeting the requirements of the Exception Test.</p>
Applicant Assessment	EN-1 5.8.13 – 5.8.14	<p>A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> <li>▪ sites of 1 hectare or more;</li> <li>▪ land which has been identified by the EA or NRW as having critical drainage problems;</li> <li>▪ land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future;</li> <li>▪ land that may be subject to other sources of flooding (for example surface water);</li> <li>▪ where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.</li> </ul> <p>This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	<p>The Applicant has submitted site specific flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul> <p>The FRAs identify the baseline context, the potential sources of flood, a detailed assessment of the flood risk and proposed mitigation demonstrating how flood risk has been managed. Section 24.1.5 of the Onshore ECC and 400kV cable corridor and section 24.4 of the Onshore Substation FRA set out how climate change has been taken into account.</p>
	EN-1 5.8.15	<p>The minimum requirements for Flood Risk Assessments (FRA are that they should:</p> <ul style="list-style-type: none"> <li>▪ be proportionate to the risk and appropriate to the scale, nature, and location of the project;</li> <li>▪ consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</li> <li>▪ take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made;</li> </ul>	<p>Flood Risk Assessment reporting has been undertaken in consultation with the EA and Local Authorities, compliant to NPS EN-1, paragraph 5.8.15, this is included in Chapter 24 Hydrology and Flood Risk (APP-079), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p> <p>The two FRAs consider the OnSS and onshore ECC separately and both assessment meets the minimum requirements for Flood Risk Assessments as outlined in Paragraph 5.8.15.</p> <p>Consultation regarding flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022), and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023).</p>

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		<ul style="list-style-type: none"> <li>▪ be undertaken by competent people, as early as possible in the process of preparing the proposal;</li> <li>▪ consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance;</li> <li>▪ consider the vulnerability of those using the site, including arrangements for safe access and escape;</li> <li>▪ consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;</li> <li>▪ consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;</li> <li>▪ include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding;</li> <li>▪ consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the Project may affect drainage systems. Information should include: <ul style="list-style-type: none"> <li>i. Describe the existing surface water drainage arrangements for the site;</li> <li>ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates;</li> <li>iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate;</li> <li>iv. Demonstrate how the hierarchy of drainage options has been followed.</li> <li>v. Explain and justify why the types of SuDs and method of discharge have been selected and why they are considered appropriate.</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site</li> <li>vii. Describe the multifunctional benefits the sustainable drainage system will provide;</li> <li>viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system;</li> <li>ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere;</li> <li>x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development. <ul style="list-style-type: none"> <li>▪ detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and</li> </ul> </li> </ul> <p>be supported by appropriate data and information, including historical information on previous events.</p>	
	EN-1 5.8.16	Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	Chapter 24 Hydrology and Flood Risk (APP-079) considers relevant policy alongside the NPPF , along with guidance contained within PPG
	EN-1 5.8.17	<p>Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure:</p> <ul style="list-style-type: none"> <li>▪ Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary</li> <li>▪ Their standard of protection is not reduced</li> </ul> <p>Their condition or structural integrity is not reduced</p>	As stated in Chapter 24 Hydrology and Flood Risk (APP-079), the requirements within Paragraph 5.8.17 of EN-1 have been accounted for via the Project's design including the routing of the Onshore ECC and design of key crossing points (flood defence structures, Main Rivers, non-main and ordinary watercourses, IDB watercourses, roads, utilities, etc.), including the use of Trenchless techniques to avoid key areas of sensitivity.
	EN-1 5.8.18 – 5.8.20	<p>Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.</p> <p>Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed.</p> <p>If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, The Applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal</p>	<p>Consultation regarding hydrology, hydrogeology and flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Chapter 6 Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>The Environment Agency has been the main consultee in relation to the flood resilience requirements for the OnSS and the modelling that was required in order to determine the maximum depth to be considered in the OnSS design. Consultation with Environment Agency was undertaken as part of the EPP, as set out in Chapter 24 Hydrology and Flood Risk (APP-079).</p>

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		might be amended, or additional information provided, which would satisfy the authority's concerns.	
	EN-1 5.8.21 5.8.23	<p>The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</p> <p>The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.</p> <p>Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site.</p>	<p>The response to NPS EN-1 5.8.9 – 5.8.11 summarises the approach to the sequential test that has been taken by the applicant with regard to the OnSS and onshore ECC. Full details of the sequential test are provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p>
Mitigation	EN-1 5.8.24 – 5.8.25	<p>To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.</p> <p>In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate:</p> <ul style="list-style-type: none"> <li>▪ source control measures including rainwater recycling and drainage;</li> <li>▪ infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;</li> <li>▪ filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</li> <li>▪ filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed;</li> <li>▪ basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding;</li> </ul> <p>flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.</p>	<p>The Project employs sustainable approaches to surface water drainage. This includes the design of the OnSS which incorporates a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the OnSS location and will not increase flood risk locally or in the wider area. For further detail relating to sustainable drainage during construction see the Outline Surface Water Drainage Strategy (APP-273). The final Surface Water Drainage Strategy will be developed according to the principles of the SuDS discharge hierarchy. Generally, the aim will be to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:</p> <ul style="list-style-type: none"> <li>▪ Into the ground (infiltration);</li> <li>▪ To a surface waterbody;</li> <li>▪ To a surface water sewer, highway drain or another drainage system; or</li> <li>▪ To a combined sewer.</li> </ul> <p>An Outline Operational Drainage Management Plan (APP-286), has also been provided for the OnSS which sets out high level principles for managing surface water on the OnSS in line with best practice and the requirements of Lincolnshire County Council as the Lead Local Flood Authority (LLFA). It is proposed that impermeable surfaces within the proposed OnSS development will drain surface water via gravity to a swale running along the northern, north-eastern and north-western perimeter of the Site. This swale will serve as the primary attenuation feature for the OnSS but will also act as a conveyance feature for surface water runoff draining to the receptor, Risegate Eau. Furthermore, the swale will also satisfy water quality requirements by treating and removing contaminants from runoff prior to discharge, while also encouraging percolation of runoff to the ground. Due to the build-up of the OnSS platform, as part of the potential design additional capacity for surface water attenuation could be provided within the platform. The proposed drainage strategy demonstrates there is sufficient space and capacity at the OnSS to provide an adequate drainage system to required discharge rates. The strategy presented in the Outline Operational Drainage Management Plan (APP-286) will be developed through the detailed design process and the final plan (which is secured by requirement 15 of the draft DCO (APP-303)) will be subject to relevant approvals and refinement before construction commences.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.8.26 – 5.8.29	<p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary, through the use of a planning obligation.</p> <p>The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.</p>	<p>Surface water management has been addressed during the construction phase within an Outline Surface Water Drainage Strategy (APP-273) provided as part of the Outline Code of Construction Practice (APP-268).</p> <p>Surface water management during the operational phase of the OnSS has been addressed within an Outline Operational Drainage Management Plan (APP-286). The Outline Operational Drainage Management Plan accounts for anticipated changes in peak rainfall intensity over the anticipated lifetime of development.</p> <p>The detailed (post consent) design of the surface water drainage scheme would be informed by a series of infiltration/soakaway tests carried out on site and the maximum potential attenuation volumes that are outlined in the Outline Surface Water Drainage Strategy (APP-273).</p> <p>The location of the OnSS and wider local area are underlain by bedrock geology comprising Oxford Clay Formation – Mudstone, and superficial deposits comprising Tidal Flat Deposits – Clay and Silt. Furthermore, due to the site's proximity to the tidal River Welland, the ground is likely to comprise a high water table, particularly during high tides. As such, discharge of surface water runoff from the OnSS to ground via infiltration is likely to be infeasible.</p> <p>The existing OnSS surface water runoff is understood to generally run in a south-easterly direction before spilling into an existing field drainage ditch. On the basis that the proposed OnSS will be situated close to Risegate Eau, and given that the local topography is essentially flat, the preferred method of drainage is to discharge at a restricted rate to Risegate Eau, which falls under the management of Welland &amp; Deepings IDB. The proposed drainage strategy will therefore need to demonstrate there is sufficient space and capacity on the OnSS to provide an adequate drainage system to required discharge rates. The Outline Operational Drainage Management Plan proposes the use of swales and underground attenuation in order to achieve the desired discharge rates.</p>
	EN-1 5.8.30 – 5.8.32	<p>Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided.</p> <p>Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site.</p> <p>Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.</p>	<p>ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212) reports that as part of the results analysis for the hydraulic modelling, and following discussions with the Environment Agency to determine their assessment requirements, a comparison of the flood hazard rating between the baseline existing conditions and post-development scenario has been made.</p> <p>The results demonstrate an increase in hazard rating across a number of small areas within the vicinity of the OnSS relating to a small number of properties. At all but one property the increase in peak flood depth is less than 20mm. Given how remote these increases are from the development, these are considered more likely to represent acceptable anomalies within the hydraulic modelling, rather than actual changes that would occur in the event of a breach scenario.</p> <p>Even if the above increases were considered as actual effects of the development, and not anomalies in the model, it is important to note that this risk would still be residual. The assessment has been based on a more onerous 0.1% Annual Exceedance Probability (AEP) plus climate change flood event in conjunction with a breach of the flood defences occurring. Given that the flood defences are inspected and maintained, the eventuality of this scenario occurring is small and it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. As such, the impact on flood risk is not predicted to be significant in EIA terms.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.8.33	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding.	The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO. This would include a procedure for securing sensitive equipment and/or relocating materials stored in bulk.
	EN-1 5.8.34	The Applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	The FRAs for the OnSS and onshore ECC (APP-211 and APP-212) have been undertaken in consultation with the Environment Agency and local authorities which includes consideration of emergency planning documents, flood warning and evacuation procedures. The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO.
	EN-1 5.8.35	Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.	Table 24.19 of Chapter 24 Hydrology and Flood Risk (APP-079) provide an overview of proposed mitigation in relation to flood risk, which includes the use of water resilient and resistant materials. Regarding the onshore project infrastructure, cable entry and exit points within transition pits and cable junction bays will be sealed with an appropriate water proofing material to mitigate flood risk.
Secretary of State decision making	EN-1 5.8.36	<p>In determining an application for development consent, the Secretary of State should be satisfied that where relevant:</p> <ul style="list-style-type: none"> <li>▪ the application is supported by an appropriate FRA;</li> <li>▪ the Sequential Test has been applied and satisfied as part of site selection;</li> <li>▪ a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk;</li> <li>▪ the proposal is in line with any relevant national and local flood risk management strategy;</li> <li>▪ SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate;</li> <li>▪ in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42);</li> <li>▪ the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development;</li> </ul> <p>land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation, or maintenance.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>FRA reporting (APP-211 and APP-212) has been undertaken in consultation with the Environment Agency and local authorities which includes consideration and application of the sequential approach within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Based upon detail provided within the respective FRAs (Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).), it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p> <p>The OnSS design includes a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area, as detailed in the Outline Operational Drainage Management Plan (APP-286).</p> <p>The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent.</p> <p>Overall, through the implementation of mitigation measures, including those specified in the CoCP (APP-268), it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p>
	EN-1 5.8.37 – 5.8.39	For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any	As outlined in Chapter 24 Hydrology and Flood Risk (APP-079), the OnSS design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area.

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		<p>National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.</p> <p>In addition, the development consent order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted.</p> <p>Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.</p>	<p>The surface water drainage scheme is required to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates.</p> <p>The detailed (post-consent) design of the surface water drainage scheme would be informed by infiltration/soakaway tests carried out on site and the required attenuation volumes will be outlined in the supporting Flood Risk Assessment OnSS (APP-212).</p> <p>Further details with respect to drainage are contained within the Outline Operational Drainage Management Plan (APP-286) and the OCoCP (APP-268). The Outline ODMP for the OnSS has been prepared in accordance with guidance presented within the National Planning Policy Framework (NPPF)<sup>1</sup> and its associated Planning Practice Guidance (PPG)<sup>2</sup>, taking due account of current best practice documents relating to assessment of flood risk published by the British Standards Institution BS8533</p> <p>DCO Requirement 15 (Operational drainage management plan) prevents construction of the onshore HVAC substation from commencing until an operational drainage management plan in respect of works (which accords with the outline operational drainage management plan) has been submitted to and approved by the relevant planning authority, in consultation with the lead local flood authority (being Lincolnshire County Council) and the Environment Agency. The plan must include provision for the maintenance of any measures identified and must be implemented as approved</p>
	EN-1 5.8.40	<p>If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by The Applicant and the authority to try to resolve the concerns.</p>	<p>Chapter 24 Hydrology and Flood Risk (APP-079), the EA have been consulted and have provided a scoping response. The Project has drawn upon advice within the scoping response and sought to include any proposals within the scheme. At this current date, there are no concerns that have been raised by the EA that have not been addressed.</p> <p>The EA will be consulted by the relevant planning authority with regard to the consideration and approval of details to meet DCO Requirements 15 (Operational drainage management plan) and Requirement 18 (Code of construction practice), and so will be given the opportunity to review and comment on detailed design proposals for the management of surface water during construction and operation.</p>
	EN-1 5.8.41 – 5.8.42	<p>Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage and will not impede water flows.</p> <p>Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.</p>	<p>The response to 5.8.9 – 5.8.11 provides a summary of the consideration of sequential and exception test by the Applicant, with further information provided in</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059),</li> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>It can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 5.9: Historic environment			
Historic Environment	EN-1 5.9.1 – 5.9.4	<p>The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground.</p> <p>The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora.</p> <p>Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called ‘heritage assets’. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset’s physical presence, but also from its setting.</p> <p>Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are:</p> <ul style="list-style-type: none"> <li>▪ World Heritage Sites</li> <li>▪ Scheduled Monuments</li> <li>▪ Protected Wreck Sites</li> <li>▪ Protected Military Remains</li> <li>▪ Listed Buildings</li> <li>▪ Registered Parks and Gardens</li> <li>▪ Registered Battlefields</li> <li>▪ Conservation Areas</li> </ul> <p>Registered Historic Landscapes (Wales only).</p>	<p>ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) consider the designated heritage assets outlined in Paragraphs 5.9.1 – 5.9.4 of EN-1 and outline that the Project will not result in any adverse significant effects to heritage assets.</p> <p>A review of heritage assets has identified known and anticipated onshore archaeological remains within the Order Limits which may be susceptible to direct impacts. It has also identified built heritage receptors within the vicinity of the Order Limits which may be sensitive to setting change. The assessment of archaeological potential was aided by deposit modelling and field evaluation comprising a watching brief of site investigations and geophysical survey.</p> <p>The offshore assessment is informed by a desk-based review of the known marine archaeological and cultural heritages receptors and a geophysical assessment. All known and potential marine heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in ES Chapter 13 Appendix 1 Marine and Intertidal Archaeology Technical Report (APP-167).</p> <p>The onshore Archaeological DBA (APP-180 to APP-187) sets out an archaeological background to understand the archaeological sensitivity of the Order Limits. The DBA identifies potential heritage assets of an archaeological nature located within the Order Limits and describes their significance, in accordance with the requirement under National Planning Policy Framework (NPPF 2023). No designated archaeological remains would be physically affected by the Project.</p> <p>ES Chapter 20 Appendix 2 Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project’s Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 .</p>
	EN-1 5.9.5	<p>There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are:</p> <ul style="list-style-type: none"> <li>▪ those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate;</li> <li>▪ those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck Sites but are incapable of being designated by virtue of being outside the scope of the related legislation.</li> </ul> <p>those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites.</p>	<p>An Outline Onshore WSI (APP-283) and Outline Marine Archaeological WSI (APP-282) have been provided in support of the application. The requirements and conditions set out in the DCO and DMLs ensure the submission of onshore and offshore WSIs respectively which are to accord with the outline plans.</p> <p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	EN-1 5.9.6	Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments or Protected Wreck Sites should be considered subject to the policies for designated heritage assets. The absence of	Effects on designated and non-designated heritage assets are considered in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance.	The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.
	EN-1 5.9.7 – 5.9.8	The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets. Impacts on heritage assets specific to types of infrastructure are included in the technology specific NPSs.	No significant impacts to non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall.  In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts. On this basis there would be no residual significant effects to non-designated archaeological remains.  With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.
Applicant Assessment	EN-1 5.9.9	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 (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	Effects on designated and non-designated heritage assets have been considered within Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075). This includes assets above, at and below ground level. Consideration is given to the possible impacts, including cumulative, on the wider historic environment.  Onshore mitigation measures are set out in the OWSI for Archaeological Work (APP-283). These comprise the standard suite of archaeological mitigation works including set piece excavation, strip, map and sample, watching briefs and preservation in situ. Mitigation options will be deployed in response to the results of archaeological evaluation also set out within the OWSI.  Offshore mitigation measures are set out in the Outline Marine Archaeological WSI (APP-282) and include archaeological exclusion zones, micrositing and adherence to a protocol for archaeological discoveries.  ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), supported by the onshore DBA (APP-180 to APP-187) and the Heritage Statement (APP-188), provide a sufficient level of information to understand the likely significant heritage impacts. Assets above, at and below ground have been considered and impact to Historic Landscape Character has been assessed. Impacts are presented in section 20.7. of ES Chapter 20
	EN-1 5.9.10	As part of the ES the Applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the Applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	All known and unknown heritage assets in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Section 13.4 of Chapter 13 Marine and Intertidal Archaeology (APP-068). Potential offshore impacts on the Historic Environment of the Project is discussed in Section 13.9 and Section 13.13 of Chapter 13 Marine and Intertidal Archaeology (APP-068).  The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.  The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023)

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>Effects on designated and non-designated heritage assets have been considered in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p> <p>The assessment presented has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Both onshore and offshore assessments conclude there will not be any residual significant direct or indirect effects following the implementation of design measures at detailed design stage. Written Scheme of Investigations (WSIs), are proposed for both onshore and offshore elements and outline WSIs are provided within the submission documents.</p> <p>Consultation regarding Marine and Intertidal Archaeology and Onshore Archaeology and Cultural Heritage has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings; the Marine and Onshore Archaeology and Cultural Heritage ETG included Historic England, Maritime Archaeology, the MMO and Lincolnshire County Council. (LCC)</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Bilateral engagement with relevant stakeholders including Historic England and the LCC</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and,</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project consultation process is presented within the Consultation Report (APP-032)</p>
	<p>EN-1 5.9.11</p>	<p>Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, The Applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.</p>	<p>Marine archaeological and cultural heritage receptors and the archaeological potential within the marine archaeology s Study Area have been considered and assessed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167). This is informed by desk study and geophysical survey information.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Field based surveys and desk-based research have been undertaken to inform the assessment.</p> <p>The DBA references the results of field evaluation comprising a watching brief of Site Investigations, magnetometer geophysical survey and electromagnetic geophysical survey. This is in accordance with the NPPF (paragraph 194) and EN-1 (paragraph 5.9.11).</p> <p>It is noted that the targeted geophysical survey has included the footprint of the Transition Joint Bay, the only part of the Order Limits where significant impacts may have been predicted on the basis of historic</p>

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			<p>geography and archaeological potential but where a potential for preservation in situ is not possible (see ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the schedule of Mitigation (APP-287).</p> <p>At all other locations within the Order Limits where significant impacts could occur (in reference to historic geography and resulting archaeological potential) the indicative onshore infrastructure as set out in ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the Schedule of Mitigation (document APP-287) provide for the preservation in situ of remains of national importance should it be required</p> <p>Further geophysical survey has been and trial trenching will be carried out post EIA as well as post consent works set out within the Outline Onshore WSI (APP-283). These works will support the preservation in-situ of remains of national importance commitment. In these circumstances the baseline presented is considered adequate for the determination of the DCO.</p> <p>Visualisations of the OnSS are provided and include computer generated images of the proposals from viewpoints relevant to heritage assets, LVIA chapter, Chapter 28 Landscape and Visual Assessment (APP-083).</p>
	<p>EN-1 5.9.12</p>	<p>The Applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent, and detail of these studies will be proportionate to the significance of the heritage asset affected.</p>	<p>The assessment has recognised the need to understand the effects on the heritage significance of heritage assets and/or significant places. The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The archaeological significance and potential impact, including positive contribution, on the marine archaeological receptors identified within the marine archaeology Study Area was undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The Chapter sets out the MDS and relevant activities that may impact marine archaeological and cultural heritage receptors. The chapter also details further information how marine archaeological and cultural heritage receptors may be affected.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. The information provided within the Heritage Statement (APP-188) and the onshore Archaeological DBA (APP-180 to APP-187) provides for an understanding of which assets may experience adverse impact/harm. The assessment of effects to setting which may include the consideration of lighting and noise changes has been considered. It is therefore considered that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents</p>
	<p>EN-1 5.9.13</p>	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA</p>

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		<ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during</p>

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			<p>the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p> <p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
Mitigation	EN-1 5.9.16 – 5.9.18	<p>A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.</p> <p>Where the loss of the whole or part of a heritage asset’s significance is justified, the Secretary of State will require The Applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset’s importance and significance and the impact. The Applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.</p> <p>Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.</p>	<p>Requirement 17 of the draft DCO requires the Applicant to submit a WSI in accordance with the provisions set out in the Outline WSI (APP-283) and for provision to be made for the analysis, publication and dissemination of results and archive deposition.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The outline Onshore WSI notes that preservation in situ could be achieved through the micro-siting of launch and receive pits within cable installation compounds, trenchless construction techniques to avoid an open cut and easement stripping for cable installation and no-dig methods at compounds and temporary haul roads where standoffs or bog matting could be utilised respectively</p> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority.</p> <p>The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the construction of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI. Requirement 17 (Onshore archaeology) within the draft DCO (APP-303) provides that the relevant stage of the onshore works may not commence until a written scheme of archaeological investigation (which must accord with the outline onshore written scheme of investigation for archaeological works) has been submitted to and approved by Lincolnshire County Council in consultation with the relevant planning authority and Historic England. Thereafter the scheme must be undertaken in accordance with the approved details. Requirement 17 makes provision for analysis, publication and dissemination of results and archive deposition of any archaeological site investigations.</p> <p>The offshore WSI is secured through a condition of the deemed marine licence (Pre-construction plans and documentation) and will require approval in consultation with Historic England. The condition provides that the activities permitted by the marine licence may not commence until a written scheme of archaeological investigation (which must accord with the outline marine archaeological written scheme of investigation) has been submitted to and approved by the MMO.</p>
	EN-1 5.9.19 – 5.9.21	<p>Where the loss of significance of any heritage asset has been justified by The Applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:</p> <ul style="list-style-type: none"> <li>▪ imposing a requirement in the DCO</li> <li>▪ requiring The Applicant to enter into an obligation</li> </ul>	<p>The offshore assessment provided in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) concludes that throughout the construction, operation and maintenance and decommissioning phases, there is no loss of significance of any heritage assets with no additional mitigation measures identified.</p> <p>The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further</p>

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		<p>That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed.</p> <p>Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.</p>	<p>mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and microsited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</p> <p>The onshore assessment provided in ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project. The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.</p> <p>No loss of significance of non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall. In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts.</p> <p>On this basis there would be no residual significant effects to non-designated archaeological remains.</p> <p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority and MMO (in consultation with Historic England), and are controlled via DCO Requirement and condition of the deemed marine licence.</p>
Secretary of State decision making	EN-1  5.9.22	<p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:</p> <ul style="list-style-type: none"> <li>▪ relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application;</li> <li>▪ any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales</li> <li>▪ historic landscape character records;</li> <li>▪ the relevant Historic Environment Record(s), and similar sources of information;</li> </ul>	<p>The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The results of the assessments, including setting in the context of Historic Seascape Characterisation (HSC), are detailed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and are summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068).</p>

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		<ul style="list-style-type: none"> <li>representations made by interested parties during the examination process; expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.</li> </ul>	<p>The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p>
	EN-1 5.9.23	The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.	Listed Buildings, Conservation Areas and Scheduled Monuments are considered within the onshore assessment comprising ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), DBA (APP-180 to APP-187) and Heritage Statement (APP-188). ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project and no potentially significant indirect impacts have been identified for designated heritage assets.
	EN-1 5.9.24	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	The assessments presented in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) have regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.
	EN-1 5.9.25 – 5.9.26	<p>The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.</p> <p>The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>Positive contributions to knowledge and understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming relevant Method Statements, which will consider relevant research frameworks to reflect and enhance the ongoing research in the area.</p> <p>The nature of the proposals does not offer opportunities for the direct enhancement of known heritage assets. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The scheme includes embedded mitigation in the form of screen planting around the OnSS that will screen the proposals and remove any operational impact to the setting of nearby heritage assets. This includes the OLEMS (APP-284) that sets out several high quality design measures, which includes mitigation planting.</p>
	EN-1 5.9.27 – 5.9.30	<p>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.</p> <p>The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.</p>	No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. Archaeological Exclusion Zones (AEZs) (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see the Outline Marine Archaeological WSI (APP-282)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined

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		<p>Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.</p> <p>Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and WHS, should be wholly exceptional.</p>	<p>in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>With regards to onshore receptors, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains will be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	<p>EN-1 5.9.31</p>	<p>Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</p> <ul style="list-style-type: none"> <li>▪ the nature of the heritage asset prevents all reasonable uses of the site;</li> <li>▪ no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;</li> <li>▪ conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;</li> </ul> <p>the harm or loss is outweighed by the benefit of bringing the site back into use.</p>	<p>No cases have been identified where substantial harm to the heritage significance or total loss of significance of a designated heritage asset would arise</p> <p>As for onshore, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains would be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as temporary apart from indirect impacts to identified receptors where setting change caused by the proposed OnSS will affect the overall significance/importance of an asset. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	<p>EN-1 5.9.32</p>	<p>Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.</p>	<p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	<p>EN-1 5.9.33</p>	<p>In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (APP-282). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>In terms of onshore archaeology, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets.</p>
	<p>EN-1 5.9.34</p>	<p>Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site</p>	<p>The contribution of different elements of area designations has been considered within the assessment within Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p>

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		should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32 as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	<p>The contribution of different elements of a conservation area have been considered within the assessment, with no impact having been concluded by the Project.</p> <p>The Heritage Statement identifies the presence/absence of Conservation Areas within the Order Limits and a search area of up to 5km. It then assesses the potential for adverse effects/harm to Conservation Areas through setting change. Where necessary and possible, special regard to preserving or enhancing the character of a Conservation Area has been referenced through embedded design mitigation. The implementation of embedded mitigation is referenced within the proposed planting set out within LVIA Chapter 28 (APP-083). The avoidance of construction traffic through relevant Conservation Areas is set out within the Outline Construction Traffic Management Plan (CTMP) (APP-289).</p> <p>No harm to Conservation Areas is predicted with the nearest conservation area over 500m outside the Order limits. There are no World Heritage sites within the assessment study area.</p>
	EN-1 5.9.35	Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision.	<p>All known wreck sites, their archaeological significance, condition, and vulnerability, where known, is described in Section 3 of Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167)</p> <p>With regards to onshore archaeology, the heritage assets and any potential effects on these are set out in Volume 3, Appendix 20.1: Onshore Archaeology and Cultural Heritage Desk-Based Assessment (APP-180 to APP-187).</p>
	EN-1 5.9.36	When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	<p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The Project has proposed several mitigation measures to mitigate effects which include the measures set out in the OLEMS (APP-284) which sets out several high quality design measures, including mitigation planting.</p>
<b>EN-1 Part 5.10: Landscape and visual</b>			
Landscape and Visual	EN-1 5.10.1	The landscape and visual effects of energy projects will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development. In this context, references to landscape should be taken as covering seascape and townscape.	<p>Landscape and visual effects are assessed within Chapter 17 Seascape, Landscape and Visual (APP-072) (offshore) and Chapter 28 Landscape and Visual Assessment (APP-083) (onshore).</p> <p>Landscape and visual effects were also considered from the onset of the Project, in which the site selection and design approach was subject to an iterative process, meaning the most sensitive locations and receptors have been avoided. In addition, the Project has proposed several mitigation measures to mitigate effects, which includes the measures set out in the OLEMS (APP-284).</p> <p>ES Chapter 17 (APP-072) comprises the assessment of potential impacts of the Project on seascape, landscape, and visual impact assessment (SLVIA) receptors. The potential impacts from the Project on SLVIA receptors are from the array area (WTGs and Offshore Platforms) and the ORCPs within the ECC.</p> <p>Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascape character. Due to the distance of the offshore array from the coast, the Array Area of the Project will be mostly not visible to those onshore and only present in the offshore environment.</p> <p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072) presents an assessment of likely significant effects of the Project on landscape character areas (LCAs). The Project has been designed</p>
	EN-1 5.10.4 – 5.10.6	<p>Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.</p> <p>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.</p> <p>Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.</p>	

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			<p>so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advice will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts on landscape and visual receptors that will arise as a result of the construction and operational phases of the onshore components of the Project.</p> <p>The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out several high quality design measures and embedded mitigation measures, including mitigation planting.</p>
	EN-1 5.10.7 – 5.10.9	<p>National Parks, the Broads and AONBs have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints. For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be designed sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> <p>The Secretary of State has a duty of to have regard to the statutory purposes of National Parks and AONBs in Wales when making decisions about development schemes within England which affect designated landscapes in Wales. Similar regard should also be had in relation to schemes in England which have impacts on National Parks and National Scenic Areas in Scotland.</p>	<p>There are nationally designated landscapes within the Seascape, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascape, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p> <p>As referred to in Section 17.3 of Chapter 17 Seascape, Landscape and Visual (APP-072) comments have been received from NE in April 2023 in relation to the SLVIA scope. These comments set out that NE agree that potential effects resulting from elements of the Project in the Array area are likely to result in limited effects on landscape and visual receptors, including the designated/defined landscape at Spurn Head and the Norfolk Coast AONB.</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies out with the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, the Project is considered to be in accordance with paragraphs 5.9.7, 5.9.8 and 5.9.9 of NPS EN-1.</p>

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	EN-1 5.10.10 – 5.10.15	<p>Heritage Coasts are defined areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.</p> <p>Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area.</p> <p>Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p> <p>All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.</p>	<p>The potential for the Project to impact upon Heritage Coasts has been considered in Section 17.7 of Chapter 17 Seascape, Landscape and Visual Impact Assessment (APP-072).</p> <p>In relation to landscape receptors, the principal visual receptors are found along the closest section of coastlines between Donna Nook to Gibraltar Point Naturalistic Coast Landscape Character Area (LCA). This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced</p> <p>The SLVIA concludes that there are predicted moderate effects on the Donna Nook to Gibraltar Point Naturalistic Coast LCA. However, on balance these are not considered to be significant.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. At other viewpoints along the coastline the effects would be reduced due to a combination of the intervening distance and or the context of the baseline built environment, where the viewpoint is located within a settlement. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK’s renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p>
Applicant Assessment	EN-1 5.10.16 – 5.10.18	<p>The Applicant should carry out a landscape and visual impact assessment and report it in the ES, including Cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues.</p> <p>The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The Applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</p> <p>For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.</p>	<p>The Applicant has provided a seascape, landscape and visual impact assessment (SLVIA) of the offshore elements of the Project as well as a landscape and visual impact assessment (LVIA), of the onshore elements. These are included within the ES within ES Chapter 17 Seascape Landscape and Visual (APP-072) and ES Chapter 28 Landscape and Visual Impact Assessment (APP-083) respectively.</p> <p>The assessments have been undertaken in accordance with the Landscape Institute and IEMA (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), and other best practice guidance. The methodology used to undertake the SLVIA is set out in full in Appendix 17.1 (APP-174) with the LVIA methodology provided in Section 6 of the ES LVIA Chapter. Both assessments consider cumulative impacts</p>

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			<p>The LVIA has been undertaken with reference to published landscape character assessments associated studies and relevant policies for the study area are referred to in section 7.2 of the LVIA chapter.</p> <p>Section 17.7 of the SLVIA chapter takes into account the relevant landscape and seascape character assessments, and associated relevant policies based on these.</p>
	<p>EN-1: 5.10.19</p>	<p>The Applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised incorporated into the design, delivery and operation of the scheme</p>	<p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the Project throughout the pre-application process and will continue to be applied. ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted. The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. With regards careful design offshore, the WTGs and other infrastructure have been sited, as far as reasonably practical, to avoid and minimise significant effects on designated sites</p> <p>The Project has made a number of commitments to reduce and minimise the onshore impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</p>
	<p>EN-1 5.10.20</p>	<p>The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas’.</p>	<p>To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character has been undertaken for both seascapes, with regards the offshore WTGs and other offshore infrastructure see Chapter 17 Seascape, Landscape and Visual (APP-072) and landscape with regards the OnSS Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>There are no offshore effects on landscape components as a result of the offshore infrastructure of the Project. There are however potential effects on seascape components of landscape character, and perceived character of landscape designations and these are assessed in Section 17.7 of the SLVIA chapter (APP-072). For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The landscape and visual effects resulting from the onshore elements of the Project during construction and operation are assessed in section 7.2 and section 7.3 of the LVIA chapter respectively (APP-083).</p> <p>There will be significant effects on the local landscape character around the OnSS during the construction phase, extending up to a maximum range of 1.6km, due to the presence and influence of the construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 15-year period due to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The onshore programme for decommissioning is expected to be similar to that of the construction phase.</p>

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			<p>As noted in the response to NPS EN-1 5.10.7 to 5.10.9, there are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project, except .</p> <p>The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p>
	EN-1 5.10.21	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	<p>Both assessments have assessed the visual impacts of the Project</p> <p>The visual effects of the offshore elements of the Project during construction and operation, are addressed in Section 17.7 of the ES SLVIA Chapter (APP-072). There is the potential for significant effect during the construction phase on visual receptors on the closest parts of undeveloped sections of the coastline, primarily with the construction of the ORCP due to their proximity to parts of the Lincolnshire coastline. These effects are associated with the closest onshore visual receptors to the ORCPs. During the operational phase the ORCP are predicted to have significant impacts on the closest parts of undeveloped sections of the coastline. Within the decommissioning phase the effects are expected to be no greater than the construction. Therefore, the array area infrastructure is predicted to have a significant effect, and the ORCP will have a potential significant effect.</p> <p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in Section 17.7 of the SLVIA</p> <p>The onshore LVIA (APP-083) concludes that during the construction phase, visual amenity will be significantly affected for people in the local area around the OnSS, extending up to a maximum range of 1.3km due to the presence and influence of construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 5 to 15-year period owing to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p> <p>Significant cumulative effects will occur on local residents and road-users during the construction of the 400kV cable corridor and the National Grid Substation. There will also be significant cumulative effects during the construction and operational phases on three representative viewpoints owing to the cumulative interaction between the OnSS and an Anaerobic Digestion Plant, and on two viewpoints owing to the cumulative interaction between the OnSS, application stage Anaerobic Digestion Plant and the National Grid Substation. All significant effects will be reduced to not significant during a 5 to 15 year period during which mitigation planting will grow to create an effective screen around the OnSS.</p>
	EN-1 5.10.22	The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	<p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in the SLVIA</p> <p>The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.10.23	Applicants are expected to justify BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower explaining why the application of modern hybrid cooling technology or other technologies is not reasonably practicable.	The Project does not propose the infrastructure outlined within Paragraph 5.10.23 of EN-1.
	EN-1 5.10.24	Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.	An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project. The proposed mitigation planting for the OnSS comprises a framework of bands of planting that connect to form an effective screen, as well as a network of corridors for nature. The bands of planting comprise woodland belts where possible, and hedgerows where restrictions over, or under cables apply. The bands of planting are mostly located along field boundaries or along roadsides.
	EN-1 5.10.25	In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.	Baseline Offshore Windfarms (OWFs) are referenced in Section 17.4 and Section 17.8 of the SLVIA Chapter (APP-072),
Mitigation	EN-1 5.10.26 – 5.10.28	<p>Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.</p> <p>Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.</p> <p>Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.</p>	<p>The Applicant has sought to minimise adverse visual and landscape effects wherever practicable, consideration for these effects have informed the Applicant’s site selection decisions as discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059), and mitigation measures proposed, such as those proposed in Chapter 29 Landscape and Visual Impact Assessment (APP-083) and Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072)..</p> <p>The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>For the onshore elements of the Project, effects on Landscape and Visual receptors are assessed in APP-083. Mitigation planting has been proposed off-site (within the order limits) that reduces the Project’s long term visual impact of the Onshore substation to non-significant after 15 years (and in some cases in as low as 5 and years).</p> <p>The Applicant submitted a Design Approach Document (APP-292) into the Examination which sets out the Applicant’s commitment to undertaking a design review process which was initiated in January 2024. A Design Principles Statement (APP-293) was also submitted and outlines the Project commitments relevant to design, these are secured through requirement 9 of the draft DCO., The Applicant has committed to updating this document throughout the examination as the design review process progresses. The Design Review has included presenting visualisations of alternative colours and roof shapes and with a review of material options.</p> <p>The Project’s landscaping proposals are contained within and secured through the OLEMS (APP-284).</p>
Secretary of State decision making	EN-1 5.10.29 – 5.10.30	The Secretary of State should take into consideration the level of detailed design which the Applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals.	As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.</p>	<p>whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The Project design process has undergone various iterations, involving early engagement with stakeholders, communities, and landowners to seek input to refine the key elements of the Project. Consultation on refinements to the Project’s sites’ selection including alternatives, the route, layout and configuration have been undertaken through informal and formal consultation, and bilateral engagement with individual stakeholders. Feedback received has been taken into consideration throughout, via a range of means including and can be found in the Consultation Report (APP-032).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>The capacity of the landscape to accommodate the onshore elements of the Project is assessed in relation to the natural screening afforded by landform, woodlands and trees and the degree to which other surrounding infrastructure and buildings influence visual screening.</p> <p>As screening is limited in this landscape, especially in respect of the Surfleet Marsh OnSS the approach has been to locate the onshore ECC, 400kV cable corridor and the OnSS as far detached as possible from nearby settlements primarily, but also from roads and PRowWs.</p> <p>The close proximity of existing electricity overhead lines to the Surfleet Marsh OnSS provides a context of electrical infrastructure across the local and wider landscapes. There is also a more distant influence from the Spalding Energy Facility, located to the south of the Surfleet Marsh OnSS. This context was considered in site selection and aligning with it is also considered to be embedded mitigation</p> <p>The Project has also adopted a Maximum Design Scenario approach as detailed within Chapter 3 Project Description (APP-058) to assess the greatest potential for change across each impact assessed, such that the design of the Project can assess impact on a “worst case scenario” and best avoid significant impact..</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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	EN-1 5.10.32	<p>When considering applications for development within National Parks, the Broads and AONB the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> <li>▪ the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;</li> <li>▪ the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3; and</li> </ul> <p>any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p>	The Project is not located in a designated landscape.
	EN-1 5.10.33	For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	
	EN-1 5.10.34	The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.	<p>There are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascope, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project. For ORCPs only, the ES concludes potential significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascope Landscape and Visual Impact Assessment (APP-072).</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083)), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p>
	EN-1 5.10.35	The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascape character. Due to the distance of the offshore array from the coast, the development will be mostly not visible to those onshore and only present in the offshore environment. This is reflected in the findings of the SLVIA Chapter (APP-072) as summarised below:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>In relation to landscape receptors, the key consideration is potential Donna Nook to Gibraltar Point Naturalistic Coast LCA. This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As outlined in Chapter 28 of the ES localised effects on the Surfleet and Gosberton Marsh LLCA within which the OnSS will be located have been identified, however Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance. The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, like the Project which is critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development.</p>
	EN-1 5.10.36	In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	<p>Refer to comments for Paragraph 5.10.34.</p> <p>Where the seascape, landscape and visual impacts of the Project are temporary or reversible, this is set out in Section 17.7 of the SLVIA Chapter (APP-072), The LVIA</p>
	EN-1 5.10.37	The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	<p>A summary of how the Applicant has carefully approached the design of the Project is provided in the response to NPS EN-1 5.10.29 – 5.10.30, with further detail provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p>
	EN-1 5.10.38	The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	The draft DCO (APP-303) includes requirements that the Applicant has considered appropriate to secure the various commitments made including Requirement 9 which requires the Applicant to submit detailed onshore design parameters to the relevant planning authority for approval prior to construction and

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Requirement 10 which requires the submission of a written landscape management plan in accordance with the OLEMS submitted (APP-284)
<b>EN-1 Part 5.11: Land use including open space, green infrastructure, and Green Belt</b>			
Land Use, Including Open Space, Green Infrastructure, and Green Belt	EN-1 5.11.1 – 5.11.2	<p>An energy infrastructure project will have a direct effect on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development. Given the likely locations of energy infrastructure projects there may be particular effects on open space including green and blue infrastructure.</p> <p>Green Belts, defined in a local authority’s development plan in England or regional strategic development plans in Wales, are situated around certain cities and large built-up areas. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. For further information on the purposes of Green Belt policy see Chapter 13 Marine and Intertidal Archaeology of the NPPF, or any successor to it.</p>	<p>Open spaces, sports and recreational facilities have been considered in Chapter 25 Land Use (APP-080).</p> <p>The Project has undergone an iterative site selection process which has involved environmental and engineering considerations in collaboration with feedback obtained through consultation. Throughout the design process, the Project has minimised the permanent loss of land as far as practicable, alongside measures embedded to reinstate the temporarily impacted land to its original use, following the completion of the construction works. Through sensitive site selection and design the Project has minimised interaction with open spaces and green infrastructure. Land use is heavily agricultural and lacks open spaces which could be used for outdoor recreation.</p> <p>Whilst the Project interacts with Public Rights of Way the interaction will be managed through the Public Access Management Plan (PAMP) that will be submitted to the local highway authority and will accord with the principles set out in the outline PAMP (APP-291) which establishes the principles for management of PRoWs.</p> <p>In addition, the Project does not involve the loss or erosion of green belt land as no part of the Project falls within Green Belt areas and is therefore compliant with Paragraphs 5.11.1-5.11.2.</p>
	EN-1 5.11.3 – 5.11.4	<p>Although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure.</p> <p>Development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Indirect impacts may also arise from changes in the local water regime, organic matter content, soil biodiversity and soil process.</p>	<p>Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078)</p> <p>Details on existing or proposed land uses and new developments or proposed projects are assessed for potential Cumulative impacts in Chapter 25 Land Use (APP-080).</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system.</p> <p>Chapter 23 Geology and Ground Conditions (APP-078) concludes that there will be no significant impact to soil resources. This is as a result of the mitigation/best practice techniques outlined in the Outline Soil Management Plan (APP-271) which provides details of mitigation measures and best practice handling techniques to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement during the construction of the onshore infrastructure.</p>
	EN-1 5.11.5 – 5.11.6	<p>Where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum.</p> <p>The government’s policy is to ensure there is adequate provision of high-quality open space and sports and recreation facilities to meet the needs of local communities.</p>	<p>Pre-existing conditions including contamination are considered within Section 23.4.3 of Chapter 23 Geology and Ground Conditions (APP-078). The Project proposes several measures to ensure pre-existing conditions do not result in the occurrence of significant adverse effects. This includes the preparation of the Outline Soil Management Plan (APP-271) which outlines an approach to dealing with pre-existing conditions and monitoring. The code of construction practice (APP-268) will set out procedures to be followed should sources of contamination (e.g., buried asbestos) be discovered during construction phase works. If unexpected contamination is encountered or suspected, the works would cease in that</p>

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		Connecting people with open spaces, sports and recreational facilities all help to underpin people’s quality of life and have a vital role to play in promoting healthy living.	<p>area and assessment by a suitably qualified land contamination specialist would be made to determine appropriate actions</p> <p>Regarding open space and sports and recreation facilities, where practically possible, these sensitive areas have been avoided through the iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>The Country Park r would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor’s predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use were not considered to be significant, particularly with regards to several receptors where impacts can be entirely avoided through the Project’s design and bypassing beneath the receptor through the usage of trenchless techniques.</p>
	EN-1 5.11.7	Green and blue infrastructure can also enable developments to provide positive environmental, social, health and economic benefits. Green infrastructure includes green space such as parks and woodlands but also other environmental features such as street trees, hedgerows and green walls and roofs. It also includes blue infrastructure such as canals, rivers, streams, ponds lakes and their borders. Well designed and managed green and blue infrastructure provides multiple benefits at a range of scales. It can contribute to biodiversity recovery, sequester carbon, absorb surface water, cleanse pollutants, absorb noise and reduce high temperatures. The Green Infrastructure Framework – Principles and Standards for England can be used to consider green infrastructure in development and plan for good quality and targeted creation or improvement.	<p>The Applicant has committed to mitigation/compensatory measures to enhance biodiversity and enhance green and blue infrastructure. This includes the OLEMS (APP-290) that sets out high quality design measures that will also deliver biodiversity enhancements at the same time, which includes mitigation planting. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p> <p>The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes</p>
Applicant Assessment	EN-1 5.11.8	The ES (see Section 4.3) should identify existing and proposed land uses near the Project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, The Applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	<p>Detail on existing or proposed Land Uses can be found in Chapter 25 Land Use (APP-080) which provides a detailed account of the surrounding land uses, and the potential impacts associated with the Project during the construction, operation, and decommissioning phases.</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The Order Limits are also frequently crossed by Public Rights of Way (PRoWs), utilities, ecological designations, agri-environmental schemes and various outdoor areas of land with potential recreational purposes, such as a Country Park or Common Land.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>During the construction phase, there are no significant residual effects associated with land use when accounting for the embedded measures of mitigation, such as the CoCP, SMP, and Public Access Management Plan (PAMP) (APP-291). Minor adverse effects on agricultural productivity and land holdings were identified, but no significant adverse residual effects were observed, through a combination of the temporary and phased nature of the impacts, as well as the integration of management plans which proved instrumental in mitigating these impacts.</p> <p>Additionally, impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use were either negligible or minor adverse, with no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>During the operation and maintenance phase, two impacts have been identified, one is not significant, however, one effect concerning the permanent loss of local agricultural land as a result of the OnSS, link boxes, and associated ancillary infrastructure is of residual major adverse effect after mitigation. Chapter 25 Land Use (APP-080) has considered potential future development and identified an application for the siting of static caravans, which has been considered within the assessment.</p>
	EN-1  5.11.9 – 5.11.10	Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport, or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicants should refer to the Green Infrastructure Framework. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	<p>Consultation is a key part of the DCO application process. Consultation regarding Land Use has been conducted via:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Technical Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (including Phase 2 Consultation, Autumn Consultation and Targeted Winter Consultation)</li> </ul> <p>An overview of the Project's consultation process is presented within ES Chapter 6 Technical Consultation (APP-061) and the Consultation Report (APP-032).</p>
	EN-1  5.11.11	During any pre-application discussions with The Applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	<p>The Project has been subject to extensive pre-application discussions with the LPAs, with those which are relevant to Land Use impacts outlined in Section 25.3 of Chapter 25 Land Use (APP-080) which includes how the key issues from the Scoping Opinion have been addressed. The related policy and legislation, including the local development plans, have been outlined in section 25.2, whilst land use assessment has been undertaken in Section 25.7 of Chapter 25.</p> <p>Routing and siting considerations that are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p>
	EN-1  5.11.12 – 5.11.13	Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	<p>The effects of onshore infrastructure associated with the Project on agricultural land are considered in Section 25.7 of Chapter 25 Land Use (APP-080).</p> <p>Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within</p>

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		Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed.	southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.  The effect on soil quality has been assessed in Chapter 23 Geology and Ground Conditions (APP-078).  An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.  Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.
	EN-1  5.11.14- 5.11.15	Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	
	EN-1  5.11.16 – 5.11.18	Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.	As presented in the Consultation Report (APP-032), the Evidence Plan Process Consultation (APP-149) and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA.  Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078).
	EN-1  5.11.19	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	The effect on mineral resources has been assessed in Chapter 23 Geology and Ground Conditions (APP-078). As noted in the baseline section of ES Chapter 23 Geology and Ground Conditions (APP-078), the study area does not overlie areas of minerals safeguarded by Lincolnshire County Council. A search of the Lincolnshire County Council planning website has not shown any extant planning permissions for mineral extraction in these areas. Published information indicates that in this region the deposits are widespread. Deposits further north within similar geologies have been quarried, however within the study area deposits have not been quarried or mined on any significant scale are unlikely to be of economic value. It is considered that the construction of the onshore ECC and proposed OnSS location will not lead to sterilisation of mineral resources.

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	EN-1 5.11.20	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.11.36 below).	The Project is not located within any Green Belts.
	EN-1 5.11.21	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria on such developments in Green Belts.	
	EN-1 5.11.22	Moreover, an applicant may be able to demonstrate that particular energy infrastructure, such as an underground pipeline, may be considered an “engineering operation” and regarded as not inappropriate in Green Belt. This is provided it preserves the openness of the Green Belt and does not conflict with the purposes of Green Belt designation. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line in a particular location would not have so harmful an impact as to conflict with the purposes of Green Belt designation, or with other protections of rural landscape	
Mitigation	EN-1 5.11.23	Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the Project and the protection of soils during construction.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and, where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p> <p>An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.</p> <p>Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>With regard to use of agricultural land, the Project has been designed to minimise the impacts on agricultural land by aligning the ECC route along field boundaries to avoid fracturing land parcels and excess land take. The Project has also chosen the route north of the A52, which has led to the avoidance of higher graded agricultural land.</p> <p>Soils will be handled using the measures outlined in the outline SMP to allow them to maintain the same quality, which will be reinstated following construction. As the land will be reinstated to the previous quality following the construction phase, it is expected that the following sowing season would return to the same levels of agricultural productivity.</p> <p>When considering the temporary nature of the impact and the reinstatement of the soils, therefore the agricultural land itself, to the same standard, significant effects on agricultural land are not predicted to occur.</p> <p>The OnSS is located in best and most versatile (BMV) agricultural land. Rather than introducing woodland blocks or belts, as part of the landscape mitigation and ecological compensation and enhancement proposals, that would occupy fields or fragment fields and make them unusable for farming, the containment of planting along the field boundaries would minimise the disruption and enable farming to continue across most of the land surrounding the OnSS. Furthermore, the belts of woodland planting will create shelter from the winds that affect this exposed landscape and in so doing may help increase crop productivity.</p> <p>Although loss of agricultural land is minimised, the permanent loss of BMV agricultural land due to the combined effect of the OnSS and the link boxes is considered to be major (significant) in EIA terms.</p>
	EN-1 5.11.24 – 5.11.26	<p>Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes.</p> <p>The Secretary of State should also consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility.</p> <p>Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.</p>	<p>This policy has guided the consideration of embedded mitigation and ensured that the Project does not affect green infrastructure in a meaningful way.</p> <p>The Applicant has primarily sought to avoid adverse effects on green infrastructure through consideration of routing, siting and scheme design. Where there remains interaction with green infrastructure, this is predominantly via works that could potentially disrupt the PRoW network or public use of the beach area. Specifically coastal access routes and public rights of way are to be managed through the implementation of the PAMP (APP-291), a final version of which will need to be approved under DCO Requirement 18, Code of Construction Practice), such that the routes will be maintained within minimum disruption, and connectivity will be maintained.</p>
	EN-1 5.11.27	Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The Applicant should assess the impacts on, and loss of, all trees and woodlands within the Project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of	ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) illustrates how direct impacts on designated sites have been avoided through project design. Also, how blocks of woodland are avoided and the loss of individual trees and hedgerows has been minimised.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.</p>	<p>Embedded mitigation measures are provided in Section 21.7 of Chapter 21 Onshore Ecology (APP-076) which account for retention of existing trees and woodland. For example, in order to mitigate the risk of loss of, or damage to veteran trees, the detailed design of the Project will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. As part of the pre-commencement surveys, any veteran or ancient trees would be identified. The Root Protection Areas (RPAs) of all retained trees and woodland would be determined by arboriculture survey. The outer extent of the RPA would be demarcated, prior to commencement of works, by fencing of a specification capable of excluding construction machinery, equipment and personnel from these areas.</p> <p>No trees will be removed for temporary access and efforts will be made to further reduce the number of trees lost through micro-siting wherever possible. Where trees are removed, they will not be replaced in situ for operational reasons (i.e. because access to the cables is required). Compensation for the loss of trees along the route will also be provided by the proposed screening planting at the OnSS (as set out in the OLEMS (APP-284).</p> <p>This is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302), which outlines the commitment of the Project to adopting Biodiversity Net Gain using the latest metric.</p>
	EN-1 5.11.28	<p>Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	<p>The Project does not overlie or result in any adverse impacts to an MSA, as confirmed within Chapter 23 Geology and Ground Conditions (APP-078).</p>
	EN-1 5.11.29	<p>Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas</p>	<p>As noted in the response to NPS EN-1 5.11.19 and confirmed in Chapter 25 Land Use (APP-080), The Project will have no long-term effects on land use.</p>
	EN-1 5.11.30 – 5.11.31	<p>Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.</p> <p>The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent.</p>	<p>Several long-distance routes and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however no public rights of ways will be closed temporarily without offering a diversion or alternative route as detailed in the Outline PAMP (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p> <p>ES Chapter 27 Traffic and Transport (APP-082) comprises the assessment of potential impacts of the Project on traffic and transport receptors, including users of Public Rights of Way (PRoW). Users of PRoW impacted by the Project's construction were assessed, identifying significant effects on specific PRoW during summer as a worst case scenario and due to shared routes with construction traffic. The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>The impacts upon outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use have been assessed in Chapter 25 Land Use and are not predicted to be significant,</p>

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			<p>particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>ES Chapter 29 Socio-Economic Characteristics (APP-084) specifically considers impacts upon recreational users of the Macmillan Way, given this long distance walking route represents a tourism and recreation asset. The Macmillan Way is a long-distance walking route that overs 290 miles and uses existing footpaths bridleways and byways. It is used for sponsored walks, with funds raised donated to Macmillan Cancer Support. The assessment references the LVIA (APP-083) noting changes in landscape along part of the route are likely to have only a minor influence on the ability of the Macmillan Way to attract users and will have no influence in its ability to accommodate users. As such, the impact of the Project upon users of the Macmillan Way is not considered to be significant.</p>
Secretary of State decision making	EN-1 5.11.32 – 5.11.33	<p>The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the Project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by The Applicant to provide new, improved or compensatory land or facilities.</p> <p>The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.</p>	<p>Detail on existing or proposed outdoor recreational land can be found in Section 25.5 of Chapter 25 Land Use (APP-080) and is assessed in Section 25.7 of the chapter. The majority of the onshore ECC and OnSS are located on agricultural land. There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>This receptor would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor's predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use are assessed within Chapter 25 Land Use (APP-080), which has predicted no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>Table 25.19 of Chapter 25 sets out embedded mitigation included the careful site selection which will ensure sensitive regions and areas of value, like playing fields will not be lost as a result of the Project.</p>
	EN-1 5.11.34	<p>The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p>	<p>The effects of Onshore infrastructure associated with the Project on agricultural land and agricultural holdings are considered in Section 25.7 of Chapter 25 Land Use (APP-080). The response to NPS EN-1 5.11.23 sets out how impacts on best and most versatile land have been minimised through site selection and mitigation and the resulting levels of impact. Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification</p>

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			process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the amount of Grade 1 agricultural land from 88% to 23%.
	EN-1 5.11.35	In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	The Project has avoided meaningful interaction with open space such as coastal recreation sites. This is outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) in which the Project has undergone an iterative site selection process and has committed to trenchless drilling to minimise the extent of direct interaction with coastal features. This is secured by a requirement within the DCO. Whilst some temporary interaction with public rights of way is unavoidable, these interactions will be managed through the implementation of a PAMP, drafted in accordance with the principles and protocols set out in the Outline PAMP (APP-291) which comprises several mitigation measures that will ensure no effects on such amenity are significant.
	EN-1 5.11.36 – 5.11.37	When located in the Green Belt, energy infrastructure projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances. Very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources.	The Project does not interact with areas designated as Green belt and so has no impact on the Green Belt.
	EN-1 5.11.38 & 5.11.40	In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach.  Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process.	
<b>EN-1 Part 5.12: Noise and Vibration</b>			
Noise and Vibration	EN-1 5.12.1 – 5.12.2	Excessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality.  The Government's policy on noise is set out in the Noise Policy Statement for England.	Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which has enabled the Project to be assessed against the principal aims of the NPSE which is referenced here.

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		It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to the assessment of impacts of vibration.	
	EN-1 5.12.4	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production.	<p>In terms of impacts on fish and shellfish, a full underwater assessment on receptors is provided within Chapter 10 Fish and Shellfish Ecology (APP-065) and in respect of marine mammals this is set out within Chapter 11 Marine Mammals (APP-066).</p> <p>A piling MMMP will be developed and implemented during construction, following the principles set out in the Outline Marine Mammal Mitigation protocol (piling) (APP-279)) which will benefit fish and shellfish receptors in limiting noise impacts.</p> <p>Noise has been considered in respect of the onshore ecological receptors within the onshore ecology assessment with embedded mitigation set out within Section 21.7 of Chapter 21 Onshore Ecology (APP-076) and Section 22.6 of Chapter 22 Onshore Ornithology (APP-077). The embedded mitigation presented would prevent any harmful impacts as a result from noise. Section 26.7 of Chapter 26 Noise and Vibration (APP-081) has also assessed noise impacts on ecological receptors. The noise generated by all construction operations and the operational noise from the OnSS on International or National ecological sites situated near the landfall, ECC, 400kV cable corridor and OnSS have been predicted and assessed in accordance with the limits contained in AQTAG09 (Air Quality Technical Advisory Group 09), Guidance on the effects of industrial noise on wildlife, which is intended to be used to assess the potential adverse impact of sound, of an industrial and/or commercial nature on wildlife.</p> <p>The Applicant has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. The Applicant has provided an Outline Noise and Vibration Management Plan (APP-269) which sets out the noise and vibration management techniques which may (subject to the final design of the proposed Project) be implemented by the Applicant and its contractors during the construction of the onshore works.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.</p>
	EN-1 5.12.5	<p>Factors that will determine the likely noise impact of a proposed development include:</p> <ul style="list-style-type: none"> <li>▪ the inherent operational noise from the proposed development, and its characteristics</li> <li>▪ the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces)</li> <li>▪ the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality</li> <li>▪ the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species</li> </ul> <p>the potential presence of unexploded ordnance on the seabed</p>	<p>The factors listed within Paragraph 5.12.5 of EN-1 have been identified and considered in the ES assessments (and supporting appendices) within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul>
Applicant Assessment	EN-1	Where noise impacts are likely to arise from the proposed development, The Applicant should include the following in the noise assessment:	The factors listed within Paragraph 5.12.6-5.12.7 of EN-1 have been provided, where relevant, in the ES assessments (and supporting appendices) within the following chapters:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	5.12.6 – 5.12.7	<ul style="list-style-type: none"> <li>▪ a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise;</li> <li>▪ identification of noise sensitive receptors and noise sensitive areas that may be affected;</li> <li>▪ the characteristics of the existing noise environment</li> <li>▪ a prediction of how the noise environment will change with the proposed development.</li> <li>▪ in the shorter term, such as during the construction period</li> <li>▪ in the longer term, during the operating life of the infrastructure</li> <li>▪ at particular times of the day, evening, and night (and weekends) as appropriate, and at different times of year</li> <li>▪ an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life/ well-being where appropriate particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas;</li> <li>▪ if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise;</li> <li>▪ all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.</li> </ul> <p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p>	<ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>The assessment has considered all the aspects identified in paragraph 5.12.6 as set out in Sections 26.4 to 26.7 of Chapter 26 Onshore Noise and Vibration (APP-081)</p>
	EN-1 5.12.8	Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	<p>Construction and operational noise (including increased traffic levels, the use of plant and excavation works), has been assessed in Chapter 26 Noise and Vibration (APP-081). The chapter concludes construction traffic noise near the affected local road network is predicted to have a temporary minor adverse effect which is not significant under EIA Regulations with mitigation measures in place. Further to this, the Applicant has submitted an outline Code of Construction Practice (APP-268) and outline Noise and Vibration Management Plan (APP-269) which sets out the key principles and types of measures to be implemented during construction of the Project. Measures that could be implemented to mitigate noise from construction traffic on local roads include:</p> <ul style="list-style-type: none"> <li>▪ Vehicles not waiting or queuing up with engines running on the site or the public highway;</li> <li>▪ Vehicles properly maintained to comply with noise emissions standards;</li> <li>▪ Deliveries will be restricted to be within agreed working hours;</li> <li>▪ Coordination between construction phases to reduce the maximum daily construction vehicle movements, wherever practicable; and</li> <li>▪ Temporary sound barriers</li> </ul>

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	EN-1 5.12.9	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The assessment of operational noise, with respect to human receptors, has been undertaken in accordance with the principles in the relevant technical guidance and British Standards as outlined in Section 26.2.5 of Chapter 26 Noise and Vibration (APP-081). Noise generated by the OnSS has been predicted at the nearest residential NSRs using the March 2024 Cadna/A noise modelling software and the methodology in ISO 9613-2:1996, Acoustics – Attenuation of Sound during Propagation Outdoors, and assessed at any identified residential receptors in accordance with BS 4142:2014+A1:2019 – Methods for Rating and Assessing Industrial and Commercial Sound, whereby sound levels associated with the operation of the OnSS are compared to measured day-time and night-time background sound levels at the closest receptors.
	EN-1 5.12.10	Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e., physical design and location of development). The Applicant should consult the EA and/or the SNCB, and other relevant bodies, such as the MMO or NRW as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	The assessment of noise impacts on ecological receptors has been a point of discussion with the relevant stakeholder through the Applicant’s Evidence Plan Process (EPP). These are included in Chapter 21 Onshore Ecology (APP-076), Chapter 22 Onshore Ornithology (APP-077), Chapter 12 Offshore and Intertidal Ornithology (APP-067), Chapter 11 Marine Mammals (APP-066) and Chapter 10 Fish and Shellfish Ecology (APP-065).
	EN-1 5.12.11	In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.	A full assessment of underwater noise on fish and shellfish receptors is provided in Section 10.6 of ES Chapter 10 Fish and Shellfish Ecology (APP-065). The assessment of underwater noise impacts in-combination with other marine activities is provided in Section 10.7. ES Chapter 11 Marine Mammals (APP-066) provides an assessment of underwater noise impacts upon marine mammals and of the impacts in-combination with other marine activities.  A piling Marine Mammal Mitigation Programme (MMMP) will be developed and implemented during construction following the principles set out in the Outline MMMP (APP-278). Whilst the implementation of a MMMP is aimed at marine mammals and not at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. Embedded mitigation in relation to fish and shellfish ecology is provided in Table 10.8 of ES Chapter 10.
	EN-1 5.12.12	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	A detailed assessment of the potential impacts of Onshore Noise and Vibration from the Project is provided in ES Chapter 26 Noise and Vibration (APP-081).  The Chapter describes the scope, relevant legislation, assessment methodology, and the baseline conditions existing at the site and its surroundings. It considers any potential significant environmental effects the Project would have on this baseline environment; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed. Cumulative noise and/or vibration effects with other proposed developments that may also have an impact on the sensitive receptors close to the Project are also considered.  The Project has made a number of commitments to reduce and minimise impacts from construction noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Mitigation for reducing noise and vibration is described in Section 26.5.3 of Chapter 26 Noise and Vibration (APP-081). Additional mitigation may be required, subject to the final design, as described in the Outline Noise and Vibration Management Plan (APP-269). Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible. . Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
Mitigation	EN-1 5.12.13 – 5.12.14	<p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the Project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.</p> <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: reducing the noise generated at source and/or containing the noise generated</li> <li>▪ lay-out: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings</li> <li>▪ administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites</li> <li>▪ insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.</li> <li>▪</li> </ul>	<p>During construction, including landfall, onshore ECC, 400kV cable corridor and OnSS activities, temporary minor to major adverse noise and vibration effects are anticipated. The mitigation measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours will aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary minor adverse effects will be experienced at the identified receptors which are non-significant in terms of the EIA Regulations.</p> <p>Operational noise levels from the OnSS may result in permanent moderate adverse effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to minor adverse which are nonsignificant in terms of the EIA Regulations.</p> <p>During the decommissioning phase, anticipated noise and vibration levels during decommissioning activities are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required</p> <p>As significant noise and vibration effects are not predicted for the Project, additional mitigation is not considered necessary, or appropriate, over and above that proposed within the ES Chapters, CoCP (and associated environmental management plans including the noise and vibration management plan).</p> <p>Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303):</p> <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul>
	EN-1 5.12.15 – 5.12.16	<p>The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).</p> <p>A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government’s associated planning guidance on noise. In</p>	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project (taking into account statutory requirements like the NPPF) has undergone an iterative design and site selection process, to ensure the greatest contribution to renewable energy targets possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC, the 400kV cable corridor and OnSS.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan.</p>	<p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process. Section 3.3.3 sets out the requirement for noise attenuation within the final design of the OnSS to reduce the noise emitted from external equipment as close as possible to the source. Details of operational noise management are required to be submitted for approval prior to construction as part of the pack of final design documents, which will reflect the detailed technical specification of the actual equipment being deployed. It may be possible to procure equipment with a lower noise emission level, compared with the assumptions used for assessment, which may reduce or remove the requirement for additional mitigation.</p> <p>Section 26.2 of Chapter 26 Noise and Vibration (APP-081) provides an overview of the statutory and policy context the Project has had due regard to with respect to noise and vibration, which includes:</p> <ul style="list-style-type: none"> <li>▪ The NPSs</li> <li>▪ NPPF (also see Table 1.4 in this document)</li> <li>▪ Noise Policy Statement for England</li> <li>▪ Local Planning Policy (also see Tables 1.7 and 1.8 in this document)</li> </ul> <p>Regarding noise, the siting of the proposed OnSS has taken into account the locations of the nearest sensitive receptors and embedded measures have been proposed to avoid and mitigate effects, which are set out in Section 26.5 of Chapter 26 Noise and Vibration (APP-081). Further to this, Section 26.5.3 of Chapter 26 outlines mitigation measures that will be implemented from the construction-decommissioning stages which include the Outline Noise and Vibration Management Plan (APP-269). The measures proposed will ensure there will be no significant effects in relation to noise and vibration as confirmed within Chapter 26 Noise and Vibration (APP-081).</p>
Secretary of State decision making	EN-1  5.12.17	<p>The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</p> <ul style="list-style-type: none"> <li>▪ avoid significant adverse impacts on health and quality of life from noise;</li> <li>▪ mitigate and minimise other adverse impacts on health and quality of life from noise;</li> <li>▪ where possible, contribute to improvements to health and quality of life through the effective management and control of noise</li> </ul>	<p>Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which have enabled the Project to be assessed against the principal aims of the NPS. Appropriate mitigation and noise management and control are detailed in the Outline Noise and Vibration Management Plan (APP-269).</p> <p>During construction, potential noise and vibration effects are anticipated through measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours that aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary non-significant effects are experienced at the identified receptors.</p> <p>Unmitigated operational noise levels from the OnSS may result in significant effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to a level that is not significant.</p> <p>During the decommissioning phase, anticipated noise and vibration levels are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Project has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
	EN-1  5.12.18	When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	<p>Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303):</p> <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul> <p>No additional mitigation is therefore required; Chapter 26 Noise and Vibration (APP-081) concludes that there will be no significant effects with respect to noise and vibration following the proposed mitigation.</p>
<b>EN-1 Part 5.13: Socio-economics</b>			
Applicant Assessment	EN-1  5.13.2 – 5.13.3	<p>Where the Project is likely to have socio-economic impacts at local or regional levels, the Applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3).</p> <p>The Applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that The Applicant can gain a better understanding of local or regional issues and opportunities.</p>	<p>Impacts on the region have been outlined within Chapter 29 Socio-Economic Characteristics (APP-084). The feedback from the consultation programme and members of the Expert Topic Groups, including relevant local authorities, is outlined in Chapter 29 Socio-Economic Characteristics (APP-055).</p> <p>ES Chapter 29 Socio-Economic Characteristics (APP-084) comprises the assessment of potential impacts of the Project on socio-economic, tourism and recreation receptors. The assessment recognises that economic impacts will occur across a wider area than the area of the onshore export cable route and onshore substation site (OnSS). Impacts will also be centred around other areas such as the potential ports used for construction and operations. Therefore, economic impacts have been quantified across three onshore study areas.</p> <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas. This area includes all the potential sites for onshore infrastructure construction and the possible location of the key port locations in the UK.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK.</li> </ul> <p>Consultation regarding Socioeconomics, Tourism and Recreation has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Volume 1, Chapter 6: Technical Consultation (APP 6.1.6) and wider consultation is presented in the Consultation Report (APP-032).</p>
	EN-1  5.13.4	<p>The Applicant's assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> <li>▪ the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero;</li> </ul>	<p>Chapter 29 Socio-Economic Characteristics (APP-084) has considered all relevant socio-economic impacts. Throughout this chapter the impacts on socioeconomics and tourism from the construction, operations and decommissioning of the Project are considered. In particular, the following impacts have been considered:</p> <ul style="list-style-type: none"> <li>▪ Impacts on employment are considered in Section 29.8;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ the contribution to the development of low-carbon industries at the local and regional level as well as nationally;</li> <li>▪ the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities;</li> <li>▪ any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains;</li> <li>▪ effects (positive or negative) on tourism and other users of the area impacted;</li> <li>▪ the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development;</li> <li>▪ Cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Impacts on local services and social infrastructure, such as schools and health services are considered in Section 29.8;</li> <li>▪ Sustainability of jobs is considered alongside the impact on employment from the Project in Section 29.8;</li> <li>▪ The contribution to the development of low-carbon industries in each of the Study Areas is considered in Section 29.8;</li> <li>▪ The impacts on Gross Value Added (GVA) and employment include indirect/supply chain impacts, as considered in Section 29.8;</li> <li>▪ Impacts on demographics from transient workers and their implications are considered in Section 29.8;</li> <li>▪ Effects on tourism are considered in Section 29.8; and</li> <li>▪ Cumulative effects are considered in Section 29.9.</li> </ul> <p>The assessment concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction. The assessment has identified positive effects on the economy of the Local Economic Area , the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms. The assessment has identified no significant impacts on social and community assets.</p> <p>The Applicant has also engaged with local schools in Lincolnshire, including attendance at the Careers Fair at John Spendluffe School, Lincolnshire (30 March 2023) and Future Fest at Peter Paine Performance Centre, Boston (5 July 2024) to promote employment opportunities within the offshore wind industry. Following consent, actions to ensure the skills and employment benefits that the Project can help deliver locally and nationally will be set out within the Supply Chain Plan required under the CfD supply chain process (Chapter 29 Socio-Economic Characteristics (APP-084)).</p>
	EN-1 5.13.5	Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development’s socio-economic impacts correlate with local planning policies.	<p>A description of the existing socio-economic conditions and tourism activity is provided in the Baseline Environment section 29.4 of Chapter 29 (APP-084). The study area for the assessment considers three onshore study areas.</p> <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK</li> </ul> <p>East Lindsey Local Plan Core Strategy is considered as part of the Strategic baseline in Section 29.4.3</p>
	EN-1 5.13.6	Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	<p>Chapter 29 Socio-Economic Characteristics (APP-084) takes into account several other impacts and has been written alongside the following chapters, which are presented in Volume 1 of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 17: Seascape, Landscape and Visual (APP-072);</li> <li>▪ Chapter 18: Infrastructure and Other Marine Users (APP-073);</li> <li>▪ Chapter 25: Land Use (APP-080);</li> <li>▪ Chapter 26: Noise and Vibration (APP-081);</li> <li>▪ Chapter 27: Traffic and Transport (APP-082); and</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Chapter 28: Landscape and Visual Assessment (APP-083).</li> </ul>
	EN-1 5.13.7	Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.	The Planning Inspectorate has concurred in their Scoping Opinion (Planning Inspectorate, 2022) that the Project can scope out demographic and service demand impacts within Chapter 29 Socio-Economic Characteristics (APP-084), including long term housing/accommodation, during the Operations and Maintenance (O&M) phase.
Mitigation	EN-1 5.13.8	The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising socio-economic impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Specific mitigation relating to socio-economic impacts are contained within Section 29.6 of Chapter 29 Socio-Economic Characteristics (APP-084). The chapter confirms that the Project will take a proactive approach to mitigation and enhancement measures to maximise the positive effects of the Project and minimise any negative effects that are identified. Negative socio-economic, tourism and recreational impacts associated with the construction of the Project will be a secondary effect of other identified environmental impacts, such as those identified in the other assessment chapter of the ES (APP-055).</p> <p>The Project will consider the following measures to maximise local economic benefit:</p> <ul style="list-style-type: none"> <li>▪ Proactively engaging with local economic development stakeholders and industry groups to understand the capacity for local companies to be involved in the supply chain for the Project;</li> <li>▪ Proactively supporting Tier 1 contractors to increase their local content;</li> <li>▪ Working with local economic development stakeholders to identify any potential barriers to entry for this market and actively work towards removing these barriers</li> <li>▪ Engaging at an early stage with education and training providers to identify potential skills gaps and opportunities for collaboration;</li> <li>▪ Engaging with other developers in the area to improve opportunities for the local supply chain; and</li> <li>▪ Including reporting requirements on the level of UK content as part of the tendering process for contracts.</li> </ul>
Secretary of State decision making	EN-1 5.13.9 – 5.13.12	<p>The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by The Applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).</p> <p>The Secretary of State should consider any relevant positive provisions The Applicant has made or is proposing to make to mitigate impacts (for example through planning</p>	<p>The assessment of socio-economic, tourism and recreation effects is provided in ES Chapter 29 Socio-Economic Characteristics (APP-084) and concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction.</p> <p>The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms.</p> <p>The assessment has identified no significant impacts on social and community assets.</p>

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		<p>obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.</p> <p>The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.</p>	<p>The draft DCO (APP-303), includes a Requirement for a skills, supply chain and employment plan. Requirement 30 (Skills, supply chain and employment) provides that prior to commencement of any stage of the onshore works, a skills, supply chain and employment plan in relation to that stage must be submitted to and approved by the relevant planning authority in consultation with Lincolnshire County Council. The plan to be submitted must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with that stage of the onshore works and the means for publicising such opportunities. The approved skills, supply chain and employment plan must be implemented as approved.</p>
<b>EN-1 Part 5.14: Traffic and Transport</b>			
Traffic and Transport	EN-1 5.14.1 – 5.14.3	<p>The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects.</p> <p>Environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution as well as greenhouse gas emissions.</p> <p>Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.</p> <p>The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.6 of this NPS.</p>	<p>The transport assessment within Chapter 27 Traffic and Transport (APP-082) considers onshore impacts. The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). This approach was subsequently presented and agreed upon through the ETG process.</p> <p>A quantitative and qualitative assessment of potential traffic and transport effects associated with worst-case construction activities was conducted using methods outlined in Guidelines on the Environmental Assessment of Traffic and Movement<sup>9</sup> (GEATM), Design Manual for Roads and Bridges<sup>10</sup> (DMRB), and professional judgment. The assessment considers several social, environmental and economic impacts as listed below:</p> <ul style="list-style-type: none"> <li>▪ Driver Severance and Delay;</li> <li>▪ Community Severance;</li> <li>▪ Vulnerable Road Users and Road Safety;</li> <li>▪ Pedestrian Amenity;</li> <li>▪ Abnormal Indivisible Loads (AILs); and</li> <li>▪ Users of Public Rights of Way (PRoW).</li> </ul> <p>Section 27.6.4 sets out the embedded and applied mitigation that will be required as part of the Project. The Outline Construction Traffic Management Plan (OCTMP) (APP-289) and Outline Travel Plan (OTP) (APP-290) provide details on how traffic would be managed. Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport.</p>
Applicant Assessment	EN-1 5.14.5 – 5.14.7	<p>If a project is likely to have significant transport implications, The Applicant’s ES (see Section 4.3) should include a transport appraisal. The DfT’s Transport Analysis Guidance (TAG) and Welsh Governments WeBTAG provides guidance on modelling and assessing the impacts of transport schemes.</p> <p>National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. and applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.</p>	<p>Consideration of the construction, and decommissioning phases of the Project are set out in Chapter 27 Traffic and Transport (APP-082).</p> <p>A transport appraisal is submitted as part of Chapter 27 Traffic and Transport (APP-082). The Traffic and Transport chapter and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout.</p> <p>Consultation regarding traffic and transport has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings. Traffic and Transport was covered by the Traffic &amp; Transport, Air Quality, Noise, Health and Socio-economics ETG which included Lincolnshire County Council and National Highways.</li> <li>▪ EIA scoping process (ODOW, 2022);</li> </ul>

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		<p>The Applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The Applicant should also provide details of proposed measures to improve access by active, public, and shared transport to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need for parking associated with the proposal;</li> <li>▪ contribute to decarbonisation of the transport network; and</li> <li>▪ improve user travel options by offering genuine modal choice.</li> </ul> <p>The assessment should also consider any possible disruption to services and infrastructure (such as road, rail, and airports).</p>	<ul style="list-style-type: none"> <li>▪ Bilateral engagement with relevant stakeholders;</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project’s consultation process with reference to technical considerations is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and summarised in Consultation Report (APP-032) with detail provided in Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052). Further information on the Project’s consultation phases can be found in Section 27.3 of ES Chapter 27 which summarises consultation with National Highways, Network Rail and Highways Authorities as appropriate on the assessment and mitigation.</p> <p>The mitigation section of ES Chapter 27 sets out the embedded and applied mitigation that will be required as part of the Project. The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The Outline Construction Traffic Management Plan (APP-289) and the Outline Travel Plan (APP-290) provides a framework for promoting and encouraging a reduction in private car usage during the construction phase of the Project..</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements.</p>
	<p>EN-1 5.14.9 – 5.14.10</p>	<p>If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision.</p> <p>Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.</p>	<p>Chapter 27 Traffic and Transport (APP-082) concludes that the impact on the transport infrastructure is considered to be at acceptable levels in light of the proposed additional mitigation which includes the Construction Travel Management Plan (APP-289) and the Public Access Management Plan (APP-291) and therefore no additional transport infrastructure is needed or proposed.</p>
<p>Mitigation</p>	<p>EN-1 5.14.11- 5.14.12</p>	<p>Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need to travel by consolidating trips,</li> <li>▪ locate development in areas already accessible by active travel and public transport,</li> <li>▪ provide opportunities for shared mobility,</li> <li>▪ re-mode by shifting travel to a sustainable mode that is more beneficial to the network,</li> <li>▪ retime travel outside of the known peak times,</li> <li>▪ reroute to use parts of the network that are less busy.</li> </ul> <p>If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable</p>	<p>The Outline Travel Plan (OTP) (APP-290) OTP will include demand management measures to be adopted.</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements. The strategy for access has selected routes that where possible, seek to reduce the impact of traffic upon local communities. Trenchless techniques will be used underneath the railway and key roads (this will be assessed based on the importance of the road and the impacts on driver delay and the feasibility of using open trenching with single lane closures).</p> <p>The Project has committed to the construction of a temporary haul road along each open trenched section of the onshore ECC, with distinct access points to reduce construction traffic on local roads. Prioritise the use of haul roads where practicable, to minimise construction vehicles on the highway network. In particular, using the haul road to form a by-pass so that HGVs can avoid Skegness.</p>

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		alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.	
	EN-1 5.14.13 – 5.14.14	<p>Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate.</p> <p>The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> <li>▪ control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements</li> <li>▪ make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid ‘overspill’ parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions</li> </ul> <p>ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.</p>	<p>The assessment of the increases in heavy goods vehicles (HGVs) associated with the construction phase of the Project is set out in Section 27.8 of Chapter 27 Traffic and Transport (APP-082). Welfare facilities including offices and canteen and washroom facilities will be provided within the Primary Construction Compounds (PCCs) and Secondary Construction compounds (SCCs).</p> <p>Any impacts of increases in HGVs are further reduced by the types of traffic management measures that would be implemented as set out in the Outline Construction Travel Management Plan (APP-289) and mitigation such as schemes of passing places that are proposed (Annex N of the Volume 3, Appendix 27.1 (APP-229) and therefore considered to be an acceptable impact.</p> <p>The Outline CTMP (APP-289) states that no parking will be permitted on public roads and that the appropriate authorities and emergency services will be consulted regarding HGV movements during the construction of the Project.</p> <p>Routing for HGV movements is being identified, as well as proposed working hours, to minimise the impact of the Project on the surrounding highway network as per Chapter 27 Traffic and Transport (APP-082) and the CTMP (APP-289)</p> <p>The need for any permits from relevant road and bridge authorities in relation to the transportation of AILs will be obtained in advance of construction, following assessment of routes.</p> <p>The draft DCO (document 3.1) includes Requirement 21 (Traffic) that no stage of the onshore works can commence until a construction traffic management plan (in accordance with the outline construction traffic management plan) and a travel plan (in accordance with the outline travel plan) in respect of that stage have been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority. The requirement requires that the plans are implemented on commencement of the relevant stage of the onshore works.</p> <p>In addition there are DCO Requirements controlling construction hours (Requirement 19 (Construction hours)), and more general construction measures within the Code of Construction Practice (Requirement 18 (Code of construction practice)).</p>
	EN-1 5.14.15 – 5.14.17	<p>The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.</p> <p>Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their application.</p> <p>If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation</p>	<p>Section 27.6.3 of Chapter 27 Traffic and Transport (APP-082) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project, such as the Outline TP (APP-290), which will include demand management measures to be adopted to advocate sustainable patterns of travel.</p> <p>The Applicant would endeavour to identify the closest port to the Study Area for the delivery of the abnormal indivisible loads (AILs) required for the Project to minimise the movement of these on the highway network. The delivery of Special Order AILs will be small in number. The delivery route is anticipated to be between Port Sutton Bridge and the OnSS location and Surfleet Marsh.</p>

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		by the Secretary of State of any obligations or requirements needed to secure the mitigation.	An assessment of the anticipated vehicle type that would be used to transport the AIL between Port Sutton Bridge and the OnSS location is provided in Annex A of Volume 3, Appendix 27.1 Transport Assessment (APP-218).
Secretary of State decision making	EN-1 5.14.18 – 5.14.19	<p>A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.</p> <p>Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below.</p>	<p>Chapter 27 Traffic and Transport (APP-082) has considered the potential traffic and transport effects arising from onshore activities associated with the Project. Consideration has been given to potential worst-case effects arising from onshore construction and decommissioning activities based upon available information. Worst-case parameters have been adopted to provide a robust assessment.</p> <p>The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). Based on the number of the Project construction vehicles forecast in the peak hours on the highway network in the study area, a formal assessment of impacts on the division of space and people by transport and traffic delay was scoped out.</p> <p>The implications of temporary lane or road closures associated with open trenching were evaluated in terms of driver severance and delay. The assessment found no significant effects outside of the summer months, except for Marsh Road, where a short-term closure would require careful planning and communication to the public but results in negligible residual effects.</p> <p>The assessment has considered impacts of increased daily construction vehicle movements associated with the Project. The outcome of the assessment revealed no significant effects on community severance, vulnerable road users and road safety, pedestrian amenity and from dust and dirt.</p> <p>The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>Additional commitments to mitigate impacts include the use of trenchless techniques (such as horizontal direction drilling) for the installation of the export cable under a number of roads, including the main ‘A’ roads in the study area, which would not require a temporary road or lane closure. The Project has further identified a number of highway improvements such as new passing places and other widening on the local construction vehicle access routes to facilitate the required construction vehicles.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.</p>
	EN-1 5.14.20	Development consent should not be withheld provided that The Applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be	As summarised in the response to NPS En-1 5.14.18 to 5.14.19 above, following the incorporation of mitigation measures proposed by the Applicant, no significant effects have been identified in relation to

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		imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure.	traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.
	EN-1 5.14.21	The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual Cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.	The assessment for Traffic and Transport assesses the potential impacts from the increase in vehicle movements, particularly during the construction period leading to driver delay and severance. Other impacts which have been assessed include the impacts upon users of public rights of way, vulnerable road users and road safety. The assessment shows there would not be unacceptable impacts on highway safety or severe residual Cumulative impacts on the road network, and proposals are included to promote public or shared transport within the Outline TP (APP-290),  Overall, it is considered that there will be no significant effect upon Transport and Traffic receptors.
<b>EN-1 Part 5.15: Resource and Waste Management</b>			
Resource and Waste Management	EN-1 5.15.1	Government policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible and disposal is required as a last resort, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health.	As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.  The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.
	EN-1 5.15.2	Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): <ul style="list-style-type: none"> <li>▪ prevention;</li> <li>▪ preparing for reuse</li> <li>▪ recycling</li> <li>▪ other recovery, including energy recovery</li> <li>▪ disposal</li> </ul>	All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).
	EN-1 5.15.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005  In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.  The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly
	EN-1 5.15.4	All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
Applicant Assessment	EN-1 5.15.6	Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.	The proposals do not relate to energy from waste for the treatment of municipal waste and so this paragraph does not apply to the Project.

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	EN-1 5.15.7 – 5.15.8	<p>The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level.</p> <p>The Applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.</p>	<p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p>
	EN-1 5.15.9	<p>The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p>	<p>Chapter 23 Geology and Ground Conditions (APP-078) includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. The approach to managing waste is set out within the Outline Code of Construction Practice and the SWMP (APP-274). which sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit for approval.</p> <p>A key element of the detailed SWMP will be to minimise the amount of waste disposal from site by aiming to reduce, reuse waste on site or recycle. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p>
	EN-1 5.15.10 5.15.11	<p>The Applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales' and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</p> <p>If The Applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process</p>	<p>The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project with respect to waste. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>As stated within Chapter 8: Marine Water and Sediment Quality (APP-063), whilst the Project is not a dredging project it does involve a proposal to dredge, drill and dispose of seabed sediments within the draft Order Limits. Regarding disposal, The Applicant has considered the need for disposal sites as part of the updated assessment presented in the ES. Dredged material will be deposited within an area of</p>

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			similar sediment characteristics, in close proximity to the dredge location in order to retain sediment within the sediment transport system.
	EN-1  5.15.12 – 5.15.13	<p>Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources, and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p> <p>Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p>	<p>The Applicant has committed to reusing materials wherever practicable, which includes the re-use of soils that will be secured within a Soil Management Plan (APP-271) that the Applicant has committed to producing.</p> <p>The Outline Site Waste Management Plan (APP-274) confirms that wastes will be categorised and managed appropriately, with all options for reusing or recycling on-site considered prior to pursuing any off-site possibilities for reuse, recycling or ultimately for final disposal. This will be achieved through regular reviews of waste generation with the aim of improving the rate of segregation and recycling to minimise the future requirement for disposal of wastes to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them). Adequate storage arrangements for waste local to the work areas will need to be in place to prevent uncontrolled collections of waste on site occurring during the day and a suitable frequency of transfer of any gathered wastes to the main waste management area shall be maintained by contractors to prevent windblown rubbish etc.</p>
Secretary of State decision making	EN-1 5.15.14	<p>The Secretary of State should consider the extent to which The Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development.</p> <p>The Secretary of State should be satisfied that:</p> <ul style="list-style-type: none"> <li>▪ any such waste will be properly managed, both on-site and off-site.</li> <li>▪ the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area.</li> </ul> <p>adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome</p>	<p>As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).</p> <p>Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005</p> <p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage</p>

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			<p>requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p> <p>In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.</p>
	EN-1 5.15.16 – 5.15.17	Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The draft DCO (APP-303), includes Requirement 18 (Code of construction practice) which provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. This includes a site waste management plan (which accords with the outline site waste management plan). The code of construction practice must be implemented as approved.
	EN-1 5.15.18	Where the Project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
	EN-1 5.15.19	The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023.	The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project which includes consideration of waste reduction targets and resource efficiency.
<b>EN-1 Part 5.16: Water Quality and Resources</b>			
Water Quality and Resources	EN-1 5.16.1 – 5.16.2	<p>Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters.</p> <p>During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.</p>	<p>Potential impacts upon water quality and resources are considered in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) contains the assessment of the potential impacts of the Project on marine physical processes.</p> <p>The conclusions drawn from the three assessments are that there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>The Project has committed a range of mitigation measures to reduce impacts. Offshore measures include, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out.</p> <p>Onshore measures include obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, and adherence to a Pollution Prevention and Emergency Incident Response Plan.</p>
Applicant Assessment	EN-1 5.16.3	Where the Project is likely to have effects on the water environment, the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	

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			An onshore and offshore WFD assessment has been produced in Volume 3, Appendix 8.1: Water Framework Directive (APP-153) that will mitigate any adverse effects on the water environment and present any enhancement measures.
	EN-1 5.16.4	The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.	Consultation regarding water quality and resources has been included within the Marine Ecology, Processes and Derogation and Compensation and Onshore Ecology, Hydrology and Ground Conditions ETGs. Consultation has been undertaken and as part of the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032). European Protected Species Licensing (EPSL) is anticipated to be required for water vole, badger and GCN. The Applicant is in the process of pursuing Letters of No Impediment (LoNI) with Natural England which will subsequently be submitted to the ExA.
	EN-1 5.16.5	Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g., from car parks or other areas of hard standing, during operation.	The management of surface water relates to the onshore environment and is considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079), this is supported by a Groundwater Risk Assessment (GWRA) (APP-210).
	EN-1 5.16.6	Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones - this could include, for example, the use of protective barriers.	The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (: APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.  Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.  By incorporating these commitments no significant effects have been identified in relation to surface water quality
	EN-1 5.16.7	The ES should in particular describe: <ul style="list-style-type: none"> <li>▪ the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;</li> <li>▪ existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance;</li> <li>▪ existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics;</li> </ul>	A description of the Baseline (existing) water quality conditions is provided in Chapter 8 Marine Water and Sediment Quality (APP-063).  Descriptions of the baseline environment are provided in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) provides a baseline description with regard to marine physical processes.  In addition, the Chapters provide: <ul style="list-style-type: none"> <li>▪ the potential environmental effects on water quality arising from the Project, based on the information gathered and the analysis and assessments undertaken to date and assess whether they are significant (in EIA terms);</li> <li>▪ any assumptions and limitations encountered in compiling the environmental information;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions;</li> <li>▪ how climate change could impact any of the above in the future; any cumulative effects</li> </ul>	<ul style="list-style-type: none"> <li>▪ any necessary monitoring and/or mitigation measures which could prevent, minimise, reduce, or offset the possible environmental effects identified at the relevant stage in the EIA process; and</li> <li>▪ Cumulative effects.</li> </ul> <p>The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).</p> <p>There will be no proposed changes or new discharges as a result of the Project. A full WFD assessment supports the DCO application, detailing the impacts on coastal and transitional waterbodies and protected areas under WFD. Potential changes to the physical environment, including hydrodynamics, waves and sediment pathways, are presented in an assessment of the physical characteristics is presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>The Baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) has been provided within: Chapter 24 Hydrology and Flood Risk (APP-079).</p>
Mitigation	EN-1 5.16.8	The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the Project application. A construction management plan may help codify mitigation at that stage.	<p>An Outline CoCP (APP-268) will be submitted as part of the DCO application. The Outline CoCP will include measures to control the potential impacts to water quality within environmental management plans that will be included within the suite of CoCP documents.</p> <p>The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.</p> <p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>With regard to water quality within the marine environment, the Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out</p>
	EN-1 5.16.9	The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	<p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>An outline Project Environment Management Plan (APP-277) is also being submitted with the DCO Application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice for offshore works.</p>

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			Therefore, deterioration to the current status of the water bodies is not anticipated and as such the Project can be considered to be in accordance with paragraph 5.16.9 of EN-1
	EN-1 5.16.10	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. If a development needs new water infrastructure, significant supplies or impacts other water supplies, the Applicant should consult with the local water company and the EA or NRW.	The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).
Secretary of State decision making	EN-1 5.16.11	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.	<p>Chapter 8 Marine Water and Sediment Quality (APP-063) confirms there are no offshore outfalls or discharges associated with the Project. However, an outline Project Environment Management Plan (APP-277) will be submitted with the DCO application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice.</p> <p>Temporary management of surface water will be required along the onshore ECC and at the OnSS during construction. An Outline Surface Water Drainage Strategy (: APP-273) has been provided as part of the Outline CoCP (APP-268). A final surface water drainage scheme will be informed by detailed design and provided as part of the final CoCP for approval by local authorities prior to construction which forms a requirement of the DCO.</p> <p>Surface water flowing into work areas and excavated trenches during the construction period will be pumped via settling tanks or ponds to remove sediment and potential contaminants, before being discharged into local ditches or drains via temporary interceptor drains. Where gradients on site are significant, cable trenches will include a hydraulic brake (bentonite or natural clay seals) to reduce flow rates along trenches and hence reduce local erosion.</p> <p>No discharge to Main River watercourses will occur without permission from Environment Agency (SuDS Manual) and no discharge to IDB maintained watercourses will occur without permission from the relevant IDB.</p>
	EN-1 5.16.12	The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	<p>The assessment of sensitivity for environmental receptors takes into consideration RBMPs and WFD status (Table 24.17) of Chapter 24 Hydrology and Flood Risk (APP-079). The chapter concludes there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>A WFD compliance assessment within Appendix 8.1: Water Framework Directive (APP-153) has also been provided to support the DCO application which provides a comprehensive assessment of the implications for WFD waterbodies.</p>
	EN-1 – 5.16.13	The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government’s Environmental Improvement Plan 2023.	<p>The Project meets the Government’s Environmental Improvement Plan by:</p> <ul style="list-style-type: none"> <li>▪ contributing significantly towards the UK’s current cumulative electricity supply deployment target for 2030, enough for approximately 500,000 households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions.</li> <li>▪ maximising resources and minimises waste.</li> <li>▪ Not causing harm to habitats identified as being of importance for the conservation of biodiversity and enhancing where possible.</li> <li>▪ Protecting water quality.</li> </ul>
	EN-1 5.16.14 - 15.16.15	The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good	WFD classifications and objectives are taken into account within Chapter 24 Hydrology and Flood Risk (APP-079). The WFD water bodies are considered receptors and are assessed against: Existing environment and Environmental assessment during construction, O&M, and decommissioning phase. A WFD Assessment is provided within Appendix 8.1: WFD (APP-153) and presents the findings of the WFD compliance assessment for the potential impacts of the Project. The purpose of this WFD compliance assessment is to demonstrate that the proposed activities associated with the Project do not result in a

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		<p>status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.</p> <p>The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans.</p>	<p>deterioration in a designated water body (or protected area) and do not jeopardise the attainment of good status (or the potential to achieve good ecological and chemical status). The assessment concludes there will be no adverse effects on the integrity of designated sites, No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>
	EN-1 5.16.16	<p>The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the Applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary</p>	<p>A standalone WFD Compliance Assessment is presented within Appendix 8.1: WFD (APP-153). Mitigation measures are presented in Section 8.5.4, and include a Project Environmental Management Plan (PEMP), Cable Specification and Installation Plan (CSIP), measures to control Invasive Non Native Species as offshore mitigation. Onshore mitigation include the CoCP, pre-construction approvals, PPEIRP, and surface water management plans The draft DCO sets out proposed requirements to secure the management plans.</p> <p>No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>

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<b>EN-1 Part 3: The need for new nationally significant energy infrastructure projects</b>			
<b>EN-1 Part 3.1: Introduction</b>			
Introduction	EN-1 3.1.1 – 3.1.2	<p>This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers the need for such infrastructure to be urgent.</p> <p>However as acknowledged within the NPS it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.</p>	<p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030.</p> <p>The Project would include up to 100 wind turbine generators (WTGs), which will be located approximately 54km off the coast of Lincolnshire, England, and create enough energy each year to power hundreds of thousands of homes. The Project will create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The accompanying ES, outlined in the Non Technical summary(APP-055), describes any likely significant effects and how the Applicant intends to avoid, prevent and reduce these where possible. However, as noted in Section 3.1.2 of EN-1 , it is not possible to develop the necessary amounts of infrastructure without some significant residual adverse impacts.</p>
<b>EN-1 Part 3.2: Secretary of State decision making</b>			
	EN-1 3.2.1	The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and Nationally Determined Contributions.	<p>Section 5 of the Planning Statement (APP-297) outlines the established need for the Project with reference to paragraphs that support such development within EN-1. The Project would deliver up to 1.5 gigawatts (GW) of offshore wind which would support the government objective of increasing supply of renewable energy.</p> <p>Paragraph 3.3.21 of EN-1 states the UK Government has an ambition to deliver up to 50 GW of offshore wind by 2030 and in this policy context, the Project would make a substantial contribution towards meeting national renewable (wind) energy targets and should be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments.</p> <p>As such, the Project accords with national energy targets and is supportive of the Government’s objectives for the energy system. The Project represents an excellent opportunity to deliver both clean energy and to meet government targets.</p>
	EN-1 3.2.2	We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	The Project will support the Government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. This is because the Project is an offshore wind farm which will support the delivery of national renewable energy. The type of energy this Project will provide (wind) is expected to play a key role in supplying renewable energy by 2050.
	EN-1 3.2.3	It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government. This is the nature of a market-based energy system. With the exception of new coal or large-scale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the Government’s ambitions in energy policy and other policy areas.	<p>Section 5 of the Planning Statement (APP-297) outlines how the Project is in line with the Government’s ambitions for the energy system.</p> <p>Paragraphs 3.3.20- 3.3.24 of NPS EN-1 show there will be a major reliance on wind (and solar) to deliver renewable energy targets to meet national demand, and the Project will play a significant role in contributing towards meeting these targets. The NPS make it clear that there is an established need for the Project and substantial emphasis should be placed on this need by the SoS.</p>
	EN-1 3.2.6	The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 includes offshore generation that does not involve fossil fuel combustion within the definition of low carbon infrastructure.

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	EN-1 3.2.7	In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.	The need for the Project is further set out in Section 5 of the Planning Statement (APP-297).  As such, the Project is considered to accord with the provisions set out in the NPS.
	EN-1 3.2.9	This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.	The Project is covered by section 15 of the Planning Act 2008 (2008 Act). This document together with the Planning Statement confirms how the policies within this NPS and the relevant technology specific NPSs have been complied with in respect of the Project.
	EN-1 3.2.10	Other novel technologies or processes may emerge during the life of this NPS and can help deliver our energy objectives. Where these contribute towards the objectives set out in paragraph 3.2.1, the Secretary of State should determine that there is a need for such technologies and that substantial weight should be given to this need.	
<b>EN-1 Part 3.3: The need for new nationally significant energy infrastructure projects— Meeting energy security and carbon reduction objectives</b>			
The need for new nationally significant electricity infrastructure	EN-1 3.3.1	Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), the Project will deliver up to 100 WTGs with a capacity of approximately 1.5 GW and make a substantial contribution to meeting the demand for greater energy produced from renewable sources, whilst mitigating unexpected risks to the UK's energy system. The wider effects of the Project upon climate change are discussed within ES Chapter 31: Climate Change (APP-086).
	EN-1 3.3.2	The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases the overall costs of the system.	The Project will support the government's objective to achieve 50GW of offshore wind by 2030. This figure was revised upward from 40GW to 50GW in the April 2022 UK Government Energy Security Strategy (BESS) which is a key aspect of the UK Government's commitment to support essential services, and the business sector, in the wake of the global pandemic.  The Project will make a substantial contribution in meeting this demand for offshore wind energy. Through the delivery of up to 100 WTGS, the project will have a capacity of approximately 1.5GW as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057).  The Planning Statement (APP-297) outlines that there is an established urgent need for developments like the Project which are considered a CNP.
	EN-1 3.3.3	To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610- 800TWh in 2050.	As noted in the responses to the paragraph 3.2.1 and 3.2.2 of the NPS above, the Project is in accordance with the NPS and a substantial emphasis should be placed on this need by the Secretary of State (SoS). As stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project will deliver up to 100 WTGS and have a capacity of approximately 1.5GW which will make a substantial contribution in meeting the government's ambition of increasing supply from renewable sources to meet increasing demands on the UK's electricity system.
The need for different types of electricity infrastructure	EN-1 3.3.4— 3.3.7	There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation.  New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply.	The Project will support the government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. As outlined within both the Planning Statement (APP-297) and ES Chapter 2: Need, Policy and Legislative Context (APP-057), the government is seeking to meet the future increasing demand through several types of renewable sources, and the Government regards offshore wind farms, like the Project as a key mechanism to achieving this target.  Therefore, there is an established need for the Project which will provide up to 100 WTG, with a capacity of approximately 1.5GW and make a makes a substantial contribution to the UK's renewable energy and energy security targets.

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		<p>Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure. However, neither of these technologies, as with demand side response, are sufficient to meet the anticipated increase in total demand, and so cannot fully replace the need for new generating capacity.</p> <p>Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other. However, they are a means of transporting electricity rather than generating or storing it, so cannot replace those other types of electricity infrastructure in meeting the substantial increase in demand expected over the coming decades.</p>	
Alternatives to new electricity infrastructure.	EN-1 3.3.8 – 3.3.12	<p>The government has considered alternatives to the need for new large-scale electricity infrastructure and concluded that these would be limited to reducing total demand for electricity through efficiency measures or through greater use of low carbon hydrogen in decarbonising the economy; reducing maximum demand through demand side response; and increasing the contribution of decentralised and smaller-scale electricity infrastructure. In addition, there are alternative ways of decarbonising heating and transportation, which are being developed alongside electrification of these sectors. Reducing total demand for energy is a key element of the government’s strategy for meeting its energy objectives and we expect that increased energy efficiency measures could lead to a reduction in final energy demand from around 1550 TWh in 2019 to around 1000 TWh in 2050. However, even with a reduction in final energy demand the share of electricity in the system is likely to increase, potentially more than doubling by 2050 (see paragraph 3.3.3).</p> <p>The precise level of electricity demand during the transition to net zero is uncertain and could be affected by alternative means of decarbonising these sectors, such as the use of low carbon hydrogen, and the pace of that decarbonisation. However, it is prudent to plan on a conservative basis to ensure that there is sufficient supply of electricity to meet demand across a wide range of future scenarios, including where the use of hydrogen is limited.</p> <p>Demand side response, such as the use of thermal stores and smart charging of electric vehicles, can shift electricity demand, reducing the maximum amount of electricity required and therefore reduce the need for additional infrastructure. However, it cannot increase the total amount of electricity generated in the UK, or reduce the total amount of electricity consumed, and so cannot fully replace the need for new generating capacity to deliver our energy objectives.</p> <p>Decentralised and community energy systems such as micro-generation contribute to our targets on reducing carbon emissions and increasing energy security. These technologies could also lead to some reduction in demand on the main generation and transmission system. However, the government does not believe they will replace the need for new large-scale electricity infrastructure to meet our energy objectives. This is because connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of</p>	<p>While it is clear that reducing demand for energy is a key Government strategy, it is noted that even by reducing this demand, the share of electricity in the system is likely to increase (potentially more than double). The Project will contribute to ensuring that there is a sufficient supply of electricity to meet demand.</p> <p>The Project would contribute to the delivery of the 30 GW of renewable energy envisaged in NPS EN-1 and the ambition to deliver 40 GW of offshore wind by 2030 as set out in the UK Government’s 2021 announcement, a figure which as noted within the Planning Statement (APP-297) was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement.</p>

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		power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere.	
Delivering affordable decarbonisation	EN-1 3.3.16	If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.	As per the responses to the NPS provisions at paragraph 3.2.1 and 3.2.2, The Project will have a capacity of approximately 1.5GW and make a substantial contribution to the delivery of renewable energy and consequently will strengthen the national energy system. Moreover, as discussed within ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) the Government cites offshore wind farms, like the Project, as key mechanisms to facilitating a transition to net zero.
	EN-1 3.3.19	Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.	As stated in the response to the NPS provisions made at paragraph 3.3.2, wind energy will play a central role in the transition towards renewable energy supply nationally, supporting net zero ambitions. .
The role of wind and solar	EN-1 3.3.20 – 3.3.21	Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar. As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50GW of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade.	The Project will have an overall capacity of approximately 1.5GW and will contribute towards meeting the government's target to deliver 50GW of offshore wind by 2030 and meet the objectives of the British Energy Security Strategy. As the Project will have a capacity in excess of 100MW it is defined as a Nationally Significant Infrastructure Project (NSIP) and the Applicant has submitted an application to the SoS for a Development Consent Order (DCO).
	EN-1 3.3.22 and 3.3.24	However it is recognised that ensuring affordable system reliability, today and in the future, means wind and solar need to be complemented with technologies which supply electricity, or reduce demand, when the wind is not blowing, or the sun does not shine.  Applications for offshore wind above 100MW or solar above 50MW in England, or 350MW for either in Wales, will continue to be defined as NSIPs, requiring consent from the Secretary of State (see EN-3).	
The need for electricity generating capacity	EN-1 3.3.58	Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	The project is a new, large scale renewable energy NSIP project that falls within the scope of NPS EN-1. The Project would help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1
	3.3.59	All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: <ul style="list-style-type: none"> <li>▪ providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type)</li> <li>▪ providing an affordable, reliable system (through the deployment of technologies with complementary characteristics)</li> </ul> ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology)	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), offshore wind developments like the Project are critical in providing a secure, reliable, affordable, net zero consistent system by 2050.  The Project would contribute to the delivery of the 50 GW of offshore wind renewable energy envisaged in the NPS EN1 as set out in the UK Government's 2022 Energy Security Statement announcement; a figure which is noted within the Planning Statement (APP-297). The Project will make a substantial contribution in achieving the government's energy objectives through the delivery of up to 100 WTGs and a capacity of approximately 1.5GW.  Furthermore, through the delivery of the above infrastructure and generating capacity, the Project will contribute to increasing national energy security. ES Chapter 31: Climate Change (APP-086) confirms that the Project will assist the UK in reducing greenhouse gas (GHG) emissions and the trajectory to net zero by 2050.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1  3.3.60 – 3.3.62	<p>Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include:</p> <ul style="list-style-type: none"> <li>▪ Offshore Wind (including floating wind)</li> <li>▪ Solar PV</li> <li>▪ Wave</li> <li>▪ Tidal Range</li> <li>▪ Tidal Stream</li> <li>▪ Pumped Hydro</li> <li>▪ Energy from Waste (including ACTs) with or without CCS</li> <li>▪ Biomass with or without CCS</li> <li>▪ Natural Gas with or without CCS</li> <li>▪ Low carbon hydrogen</li> <li>▪ Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants</li> <li>▪ Geothermal</li> </ul> <p>The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above.</p> <p>Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.</p>	<p>The Project is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. The Project meets the thresholds set out in the 2008 Act and is classified as an NSIP and as set out in paragraph 4.2.5 the Project is classified as low carbon infrastructure, therefore the Project is CNP infrastructure.</p>
	EN-1  3.3.63	<p>Subject to any legal requirements, the urgent need for CNP Infrastructure to achieve our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>▪ Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were the Project not to be developed.</li> <li>▪ Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>▪ Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>▪ Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>In terms of adverse impacts, these are discussed across the ES (APP-055). The ES has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the Project.</p> <p>Through the Habitats Regulation Assessments (HRA) process designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>Overall, the RIAA (APP-235) concludes that the Project would not undermine any of the conservation objectives for the designated sites and features. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the RIAA. As set out in the derogation case and the RIAA, the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p> <p>As demonstrated throughout the ES (APP-055), the RIAA (APP-235) and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS.</p>
The need for new electricity networks	EN-1 3.3.82 – 3.3.83	The Government has committed to reduce GHG emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand. Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	It is clear from the UK Energy White Paper that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This is reflected in the British Energy Security Strategy published in April 2022 where targets for offshore wind farm were extended to 50GW by 2023. As noted within Section 5 of the Planning Statement (APP-297), the Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise and security of supply throughout its operational life, thereby addressing important aspects of the UK’s legal obligations and Government policy.

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<b>EN-1 Part 4: Assessment Principles</b>			
EN-1 Part 4.1: Assessment Principles			
General Policies and Considerations	EN-1 4.1.2 – 4.1.4	<p>The Energy White Paper and British Energy Security Strategy emphasises the importance of the government’s net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs.</p> <p>Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.</p> <p>The presumption is also subject to the provisions of the Planning Act 2008 referred to in paragraph 1.1.4 of this NPS.</p>	<p>The Project meets the requirements of the relevant NPSs therefore the presumption in favour of granting consent to energy NSIPs should apply given the urgent need for this type of infrastructure. This is because the Project will deliver up to 100 WTGS and will have a capacity of approximately 1.5GW, as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057). Moreover, as outlined within the Planning Statement (APP-297), the government cites offshore wind farms, like the Project as critical mechanisms in supporting the nation in transitioning to net zero.</p> <p>The Planning Statement (APP-297) together with this document demonstrates that the Project accords with the relevant policies of the NPS and there are no specific policies that clearly indicate consent should be refused.</p>
Weighing impacts and benefits	EN-1 4.1.5	<p>In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:</p> <ul style="list-style-type: none"> <li>▪ its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits;</li> <li>▪ its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.</li> </ul>	<p>The Planning Statement (APP-297) sets out the planning balance for the Project drawing together the benefits of the scheme (as summarised above) and the assessment of potential adverse effects. The Planning Statement concludes that the Project would bring significant benefits and it is not considered that there are any adverse effects which outweigh the benefits of the Project, and as such would be in accordance with the NPS and should therefore be consented.</p> <p>The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055). The ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration.</p>
	EN-1 4.1.6	<p>In this context, the SoS should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1).</p>	<p>Sections 6 and 7 of The Planning Statement (APP-297) set out the planning balance for the Project drawing together the benefits of the scheme and the assessment of potential adverse impacts. It concludes that the Project would bring significant benefits, would be in accordance with the NPS, Marine Plans and Local Policy and should therefore be consented.</p> <p>When taking into account the evidence presented in the Planning Statement (APP-297) and this Policy Compliance Document, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with both national and local planning policy.</p>
	EN-1 4.1.7	<p>Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure. Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary, to ensure there are no significant and cumulative effects as a result of the application.</p>

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		Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.	The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055) which sets out how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS
Land Rights	EN-1  4.1.8 – 4.1.9	Where the use of land at a specific location is required to facilitate the development by providing for mitigation, and landscape enhancement, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land.  The SoS will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.	<p>The Applicant has sought to enter into voluntary agreements for all of the land and rights required to facilitate the Project. The status of negotiations is shown in Appendix 4 of the Statement of Reasons (APP-031).</p> <p>Compulsory acquisition powers are being sought to facilitate the development. Further details of the Project's need for, and approach to, compulsory acquisition are set out in the Statement of Reasons (APP-031).</p> <p>The Statement of Reasons (APP-031) has been prepared in accordance with the provisions of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the 2009 Regulations').</p> <p>This Statement is required to support the Application because the draft DCO (APP-303), if made would authorise the compulsory acquisition of interests or rights in land. The DCO would also confer on the Applicant the additional powers below:</p> <ul style="list-style-type: none"> <li>▪ extinguishment of private rights over land;</li> <li>▪ acquisition of subsoil only;</li> <li>▪ rights under or over streets;</li> <li>▪ imposition of restrictive covenants;</li> <li>▪ temporary use of land for carrying out the authorised development; and</li> <li>▪ temporary use of land for maintaining the authorised development.</li> </ul> <p>The Statement of Reasons (APP-031) forms part of the suite of documents submitted with the application for a DCO. The Statement should be read in conjunction with the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant, including:</p> <ul style="list-style-type: none"> <li>▪ Draft Development Consent Order (APP-303);</li> <li>▪ Explanatory Memorandum (APP-304);</li> <li>▪ Land Plans (including Onshore Crown and Special Category Land Plans) (APP-009, APP-010, APP-011);</li> <li>▪ Works Plans (onshore) (APP-005);</li> <li>▪ Funding Statement (APP-026)</li> <li>▪ Book of Reference (APP-025));</li> </ul> <p>The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out within the Statement of Reasons. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the DCO to secure the land and interests which are required for the Project. The public benefit of allowing the Project to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.</p>

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			Landscaping is required to screen the OnSS due to the flat reclaimed nature of the landscape. The purpose of this planting is to mitigate effects on landscape character and visual amenity. This has the added benefit of providing enhanced biodiversity as set out in the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).
Other documents	EN-1 4.1.10 – 4.1.12	<p>The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the “benchmark” for what is, or is not, an acceptable nationally significant energy development).</p> <p>The energy NPSs have taken account of the NPPF, the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate.</p> <p>Other matters that the SoS may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.</p>	<p>The Project has considered the NPS within the Planning Statement (APP-297) and this Policy Compliance Document. The Project is supported by the NPSs.</p> <p>Specific national, regional and local legalisation, policy and guidance are assessed in each topic chapter across the ES (APP-055). This document provides an overview of how the project responds to relevant legalisation at the national, regional and local levels, with the following documents assessed in aforementioned tables:</p> <ul style="list-style-type: none"> <li>▪ Marine Policy Statement (MPS) (2011)</li> <li>▪ National Planning Policy Framework (NPPF) (2023)</li> <li>▪ National Planning Practice Guidance</li> <li>▪ East Lindsey Local Plan Core Strategy 2016-2031 (Adopted July 2018)</li> <li>▪ South East Lincolnshire Local Plan 2011-2036 (Adopted March 2019)</li> </ul> <p>Further information regarding relevant legalisation at the national, regional and local levels is considered within Section 4.5 of the Planning Statement (APP-297).</p>
Development consent	EN-1 4.1.16 – 4.1.17	<p>The SoS should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p> <p>The SoS should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.</p>	<p>The draft DCO (APP-303) sets out the requirements that are considered as necessary, relevant to planning and all technical disciplines, such that the Project will comply with all requirements during all phases of the Project.</p> <p>The Applicant also volunteered for the Project to be part of the NSIP Reform Early Adopters Programme (EAP) which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions.</p>
	EN-1 4.1.18	<p>The SoS may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.</p>	<p>The Applicant recognises that there may be a need for certain planning obligations, as set out in the NPS. The Applicant will submit any such proposed planning obligation to the ExA and/or SoS for consideration before the close of the examination.</p>
Early engagement	EN-1 4.1.19 – 4.1.20	<p>Early engagement both before and at the formal pre-application stage between the Applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government’s pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the ExA and leading to a clear recommendation report to the SoS.</p> <p>This is particularly so in the case of Habitats Regulations Assessment (HRA) matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the Applicant</p>	<p>Stakeholder consultation and engagement have played a fundamental role in shaping the Project. A comprehensive account of all consultation undertaken to assist in the development of the Project is included within the Consultation Report (APP-032). Consultation is also detailed within Chapter 6 Technical Consultation (APP-061).</p> <p>The Applicant has volunteered for the Project to be part of the NSIP Reform EAP which facilitated the use of multiparty meetings during the pre-application stages.</p> <p>Stakeholder engagement primarily took place under the Evidence Plan Process (EPP), as documented in Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provided a useful stakeholder engagement approach on key elements and outcomes of the PEIR process</p>

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		to submit sufficient information to enable the SoS to conduct an Appropriate Assessment if required.	<p>which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes documented in the Consultation Report (APP-032).</p> <p>The Applicant has engaged in post-scoping, pre-application consultation with both statutory and non-statutory consultees (This is further set out in Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149), which includes further details of the series of regular consultation meetings held with key stakeholders on technical matters),</p> <p>In June 2023 the Applicant published a Preliminary Environmental Information Report (PEIR) in the format of a draft ES that formed the basis of the Application information submitted for statutory consultation under Sections 42 and 47 of the Planning Act 2008. This consultation period was open for 46 days between 7<sup>th</sup> June 2023 and 21 July 2023. Consultation feedback received has been carefully considered as the project design has been finalised and the documentation has been updated to form the final ES that accompanies the DCO (including deemed marine licence) application.</p> <p>The Applicant has prepared the ES on the basis of information submitted for statutory consultation under Sections 42, 47 and 48 of the 2008 Act.</p> <p>The consultation process described above informed several design/project changes. Table 1.1 within the Consultation report (APP--032), summarises onshore Project Refinement and key Consultation Feedback in relation to design elements.</p> <p>Refinements to the offshore Project parameters were not a central focus of the public consultation carried out under Section 47 of the 2008 Act but addressed by a number of statutory consultees both through bilateral engagement, the EPP and consultation carried out under Section 42.</p> <p>The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application. Full details of consultation on HRA and Compensation is set out in the Evidence Plan Report (APP-052).</p>
Financial and technical viability	EN-1 4.1.21- 4.1.22	<p>In deciding to bring forward a proposal for infrastructure development, the Applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions.</p> <p>Where the SoS considers that the financial viability and technical feasibility of the proposal has been properly assessed by the Applicant, it is unlikely to be of relevance in SoS decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).</p>	<p>The Applicant (GTR4 Ltd) is a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development. Each of these companies bring a demonstrable track record of delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty.</p> <p>The Compulsory Acquisition Funding Statement (APP-026) and Compensation Funding Statement (APP-264) confirm that the Applicant is confident that the Project will be commercially viable based on the assessments it has undertaken. As such the SoS can conclude with confidence that the financial and technical feasibility of the Project is assured, and therefore it is considered that the Project is in accordance with paragraph 4.1.22 of EN-1.</p>
<b>EN-1 Part 4.2: The critical national priority for low carbon infrastructure</b>			
The critical national priority for low carbon infrastructure	EN – 1 4.2.1 - 4.2.3	Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology.	The Project would contribute to decarbonising the power system by 2035, supporting 2050 net zero ambitions through the development of up to 100 WTG with a generating capacity of approximately 1.5GW .ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) provide commentary on the Government's ambition to increase supply of energy from renewable sources

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		<p>Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK’s strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.</p> <p>With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.</p>	<p>and the need for offshore wind farms, like the Project, as a key mechanism in supporting the transition towards net zero and supporting a shift away from fossils fuels.</p> <p>Regarding the references made to smart and strategic planning in Paragraph 4.2.3, The Project has been the subject of an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This process was conducted to ensure the Project makes the greatest possible contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information provided within ES Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>In terms of high environmental standards, as outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project has been developed in accordance with relevant legislation, policy and guidance. In addition, in assessing the impacts of the Project, due regard to topic-specific legislation, policy, guidance has been considered in each ES chapter.</p>
	<p>EN – 1 4.2.4 - 4.2.6</p>	<p>The Government has therefore concluded that there is a CNP for the provision of nationally significant low carbon infrastructure.</p> <p>This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means:</p> <ul style="list-style-type: none"> <li>▪ for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready;</li> <li>▪ for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System;</li> <li>▪ for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution;</li> <li>▪ for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore; and</li> <li>▪ Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects.</li> </ul> <p>The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in</p>	<p>Offshore wind has been defined by Government as being a CNP and therefore the Project constitutes CNP infrastructure as outlined within the response to paragraph 3.3.62 and the Planning Statement (APP-297). The Government has highlighted that there is an urgent need for CNP Infrastructure to achieving energy objectives, together with the national security, economic, commercial, and net zero benefits.</p> <p>The Project would contribute towards decarbonising the power system by 2035 supporting 2050 net zero ambitions and providing the CNP required urgently to meet these aspirations.</p>

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		paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.	
	EN – 1  4.2.7	The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the Project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the ExA when it is making its recommendation to the SoS.	<p>The Project has followed the statutory regulations in assessing the impacts of the Project within the ES as outlined within ES Chapter 1: Introduction (APP-056) and ES Chapter 2: Need, Policy and Legislative Context (APP-057).</p> <p>The ES (APP-055) provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics.</p> <p>Whilst the Project may lead to temporary significant adverse effects during multiple phases of the development this is balanced against the significant benefit of the Project in the delivery of renewable energy. Additionally any long term effects of the Project will be mitigated as far as reasonable practicable. For example, Chapter 28 Landscape and Visual Assessment(APP-083) sets out that landscape and onshore visual effects can be mitigated through planting .</p>
	EN-1 4.2.8	During decision making, the CNP policy will influence how non-HRA and non-Marine Conservation Zone (MCZ) residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2.	<p>Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the application.</p> <p>As demonstrated throughout the ES (APP-055), and Planning Statement (APP-297), the Applicant has shown how any non-HRA and MCZ likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES and Planning Statement, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project . It has been demonstrated that the Project is in accordance with the NPS.</p>
	EN-1 4.2.9	During decision making, the CNP policy also explains the Secretary of State’s approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and imperative reasons of overriding public interest (IROPI) tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.	<p>The Project is classified as CNP infrastructure. The Applicant considers that any anticipated impacts as a result of the Project and as reported in the Environmental Statement (APP-055) are clearly outweighed by the benefits. This is shown in Section 6.4 of the Planning Statement (APP-297) which provides an overview of how the Project has been developed in accordance with CNP policy including guidance relating to HRA derogations and MCZ assessments.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p>

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			<p>The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ assessment (APP-157) supports the DCO and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>As demonstrated within the ES (APP-032), the RIAA (APP-235), the MCZ assessment (APP-157), and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects relating to HRA or MCZ would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken into consideration. It has been demonstrated that the Project is in accordance with the NPS and does not introduce an impediment to the policies considered within any other NPS.</p>
Applicants Assessment	EN – 1 4.2.10	Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.	<p>The Project has considered this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, as illustrated in the Planning Statement (APP-297).</p> <p>The ES (APP-055) and Report to Inform Appropriate Assessment (RIAA) (APP-235) provide a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics. The ES and RIAA also show how any likely significant negative effects would be avoided, reduced, mitigated or compensated in accordance with the mitigation hierarchy.</p>
	4.2.12	Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.	<p>The ES sections and tables in the ‘Summary of Effects’ sections within the receptor chapters in the ES (APP-055) are structured to distinguish between the construction, operation, decommissioning and reinstatement (where relevant) phases of the Project, with proposals for compensation and monitoring proposed where appropriate.</p> <p>The ES Chapters also include consideration of the potential for cumulative effects to occur as a result of multiple developments. The approach to the Cumulative Effects Assessment (CEA) has taken account of the advice provided in The Planning Inspectorate’s Advice Note Seventeen (Cumulative Effects</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Assessment Relevant to Nationally Significant Infrastructure Projects) (The Planning Inspectorate, 2019) and has considered other projects, plans and activities on a tiered basis (relating to certainty of implementation and accuracy of the available information)
	4.2.13	Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.	<p>Please see the Applicant’s response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features. The documents submitted as part of the Applicant’s derogation case are set out below (APP-243 – APP-264):</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ TCE Kittiwake Strategic Compensation Plan (APP-260);</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>
Secretary of State decision making	EN-1 4.2.14	The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant’s assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.	<p>As described above, the Applicant’s assessment, both EIA as set out in the ES (APP-055) and HRA as set out in the RIAA (APP-235) demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant tests under the NPSs and other legislation and policy have been met.</p> <p>The Project’s application of the mitigation hierarchy and compensation where required has minimised negative impacts.</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance.</p> <p>The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>• Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</li> <li>• Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>• Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>• Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>As outlined throughout the ES, alongside its pertinent environmental benefits through the delivery of clean and affordable energy, the Project will also deliver significant social and economic benefits. As described in both the Planning Statement (APP-297) and Chapter 29: Socio-Economic Characteristics (APP-084), the development of offshore wind projects, like this Project, will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base.</p>
Non-HRA—and non-MCZ residual impacts of CNP Infrastructure	EN-1 4.2.15— 4.2.16	<p>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.</p> <p>As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.</p>	<p>An ES (APP-055) supports the DCO application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of the Planning Statement (APP-297) , the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
	EN-1 4.2.17	<p>This means that the SoS will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</p> <ul style="list-style-type: none"> <li>where development within a Green Belt requires very special circumstances to justify development;</li> <li>where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs;</li> <li>where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and</li> </ul> <p>where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.</p>	<p>No elements of the Project are situated within areas having the highest status of protection (National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs)). No part of the Project falls within Green Belt land. In addition, there are no landscape designations within the LVIA Study Area. There will, therefore, be no significant effects on landscape designations as they lie beyond the distance within which there is potential for significant effects to arise. Full details are set out in Chapter 28 Landscape and Visual Impact Assessment (APP-083).</p> <p>There will be no direct impact to any subtidal or Intertidal SSSI features as identified in Chapter 9: Benthic and Intertidal Ecology (APP-064).</p> <p>As set out in ES Chapter 21: Onshore Ecology (APP-076), there will be no direct impact to onshore SSSIs as the onshore Order Limits have been designed to avoid designated sites. Indirect impacts are considered within ES Chapter 21: Onshore Ecology (APP-076), Chapter 24 Hydrology and Flood Risk Assessment (APP-079) and Chapter 19 Air Quality (APP-074) which conclude indirect impacts as a result of effects arising from water quality, dust emissions, road traffic emissions and emissions from temporary construction non-road mobile machinery (NRMM), are considered not significant in EIA terms.</p> <p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Chapter 13 Marine and Intertidal Archaeology , Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Chapter 13: Marine and Intertidal Archaeology (APP-068). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068). Substantial harm has not been concluded.</p>

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			<p>The assessment presented in Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Chapter 20 confirms that no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term. No designated archaeological remains would be physically affected by the Project and mitigation is proposed whereby there would be no residual significant impacts to non-designated archaeological remains. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.</p>
<p>HRA derogations and MCZ assessments for CNP Infrastructure</p>	<p>EN-1 4.2.18— 4.2.20</p>	<p>Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively.</p> <p>Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</p> <p>Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.</p>	<p>A MCZ Assessment has been provided as an appendix to Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). The MCZ assessment has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>With regards to the HRA and MCZ there are no LSE with the exception of (in-combination) effects at the Flamborough and Filey Coast (FFC) Special Protection Area (SPA).</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Consultation has taken place through the Scoping process, EPP, and through statutory consultation meetings. In particular, the Applicant has engaged with Natural England (NE) for any compensation measures.</p> <p>The Applicant has concluded that the Project on its own will not have an Adverse Effect on Integrity (AEol) on any of the designated sites and features identified through screening. There is a potential risk of AEol in relation to the kittiwake feature of the Flamborough and Filey Coast SPA when the Project is considered in-combination with other plans, projects and activities. As such, the Applicant has submitted a Derogation Case (APP-242). The Applicant maintains that there will be no AEol on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only. Further information on the assessment of adverse effect on integrity (AEol) can be found in the RIAA.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The Derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEol cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p>
	<p>EN-1 4.2.21</p>	<p>For both derogations, the SoS will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:</p>	<p>As set out above in the Applicant’s response to paragraph 4.2.9, the derogation case is presented as part of the HRA in Derogation Case (APP-242) which explains the need for the Project, that there are no alternatives to achieve the Project objectives and that there is an IROPI in the Project coming forward.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and</p> <p>are capable of amounting to IROPI for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.</p>	
	EN-1 4.2.22	<p>For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.</p>	<p>Please see the Applicant's response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of 'without prejudice' compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ Assessment is presented in Volume 3, Chapter 9 Benthic and Intertidal Ecology Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). No impacts have been identified.</p>
<b>EN-1 Part 4.3: Environmental Principles</b>			
Environmental Effects/ Considerations	EN-1 4.3.1 – 4.3.3	<p>All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the Project.</p> <p>The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.</p> <p>The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the Project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.</p>	<p>An ES (APP-055) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022).</p> <p>The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for the Project is in accordance with paragraph 4.3.1-4.3.3 of EN-1.</p> <p>Regarding the topics outlined in Paragraph 4.3.2 of EN-1, no significant residual effects have been identified as confirmed in the Sections and Chapters below which set out several mitigation measures:</p> <p><b>Human Health</b></p> <ul style="list-style-type: none"> <li>ES Chapter 30: Human Health (APP-085) - A number of mitigations across the different topics chapters apply to human health and major disasters including the Outline Construction Traffic Management Plan (APP-289), Outline Noise and Vibration Management Plan (APP-269) and Outline Code of Construction Practice (APP-268) to reduce the impacts of the works on human health.</li> </ul> <p><b>Biodiversity (onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 4: Onshore Ecology (APP-059) - The Project has made a number of commitments to reduce impacts on onshore ecological receptors. Most notably, the adoption of trenchless techniques at 216 separate sites along the onshore ECC and 400kV cable corridor to avoid impacts to major river and watercourses, priority habitats and designated sites. The Project has also been designed to avoid all ponds and woodland and reduce the need for severance of linear habitat features as much as possible. An Outline Landscape and Ecological Management Strategy (OLEMS) has been produced which presents the mitigation measures that will be undertaken to</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>manage the potential impacts to onshore ecological receptors. With measures in place the project will result in no significant effect for any of the impacts.</p> <ul style="list-style-type: none"> <li>ES Chapter 22: Onshore Ornithology (APP-077) - Potential harm to birds, is mitigated through a Construction Method Statement (CMS) and pre-works surveys, ensuring protection for nesting birds and preventing significant harm. Disturbance to protected bird species, is mitigated through seasonal restrictions and localised working commitments to minimise disruption to specific bird populations. Water and air quality are both managed through detailed assessments and embedded mitigation measures in the Pollution Prevention Emergency Incident Response Plan (PPEIRP) and Air Quality Management Plan (AQMP).</li> </ul> <p><b>Biodiversity (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 9: Benthic Subtidal and Intertidal Ecology (APP-064) - Mitigation strategies, including micro siting of infrastructure where possible to avoid areas of Annex 1 reef, have been adopted. Within the SAC, the Project has also committed to removable cable protection, should cable burial not be possible. An initial Cable Burial Risk Assessment has been undertaken. A further Cable Burial Risk Assessment will also inform cable burial as part of a Cable Specification and Installation Plan which will be developed for approval by the MMO prior to construction. To minimise the risk of pollution, a Project Environmental Management Plan will be produced; this will also be used to reduce the risk of invasive species. The Project design has also been refined to include trenchless cable installation (HDD) to remove impacts at the coast.</li> <li>ES Chapter 10: Fish and Shellfish Ecology (APP-065) - Mitigation measures include the development of a Cable Specification and Installation Plan (CSIP) to minimise habitat loss. Additionally, the implementation of a piling Marine Mammal Mitigation Protocol (MMMP) which details measure that will be implemented by the Project to limit the underwater noise levels to reduce the risk of auditory injury to negligible levels. Whilst the implementation of a MMMP is not aimed at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. To minimise the risk of pollution, a Project Environmental Management Plan will be produced which will also be used to reduce the risk of invasive species.</li> <li>ES Chapter 11: Marine Mammals (APP-066) – Mitigation measures have been committed to by the Project, such as the use of maximum hammer energies (6,600kJ for monopiles, 3,500kJ for pin-pile), soft start and ramp up procedures for piling, and a maximum of two piling events occurring simultaneously. Additionally, a Marine Mammal Mitigation Protocol (MMMP) for both piling and Unexploded Ordnance (UXO) clearance will be developed and implemented, the reduce the risk of auditory injury to negligible levels. A vessel management plan will also be developed, to reduce any collisions and minimise disturbance.</li> <li>ES Chapter 12: Offshore and Intertidal Ornithology (APP-067) - Mitigation measures and changes to the Project design have been adopted by the Project to minimise impacts on IOFs, such as adapting the array footprint to avoid important seabird habitat and raising the minimum tip height of the blades to 40m relative to mean sea level (MSL). A number of other mitigation measures have been proposed by way of compensation strategies for kittiwake, guillemot and razorbill species.</li> </ul> <p><b>Land Use and soil</b></p> <ul style="list-style-type: none"> <li>ES Chapter 25 Land Use (APP-080) - Mitigation includes the Code of Construction Practice (APP-268), the Outline Soil Management Plan (SMP) (APP-271) to manage soil effectively during stripping, handling and reinstating and the Outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP) (APP-272) which includes measures to prevent pollution incidents</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Water (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 24 Hydrology, Hydrogeology and Flood Risk (APP-079) - The Project has made a number of commitments to minimise and reduce the risk to hydrology, hydrogeology and flood risk including obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, preparation of a Flood Management Response Plan and adherence to the PPEIRP. By incorporating these commitments no significant effects have been identified in relation to hydrology, hydrogeology and flood risk.</li> </ul> <p><b>Water (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 8: Marine Water and Sediment Quality (APP-063) - The Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application), which will be submitted to the MMO for approval prior to works being carried out.</li> </ul> <p><b>Air Quality</b></p> <ul style="list-style-type: none"> <li>ES Chapter 19: Air Quality (APP-074) - there are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</li> </ul> <p><b>Climate Change</b></p> <ul style="list-style-type: none"> <li>ES Chapter 31 Climate Change (APP-086) - The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</li> </ul> <p><b>Landscape (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 21 Landscape and Visual Assessment (APP-076) - The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</li> </ul> <p><b>Landscape (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 17: Seascape Landscape and Visual Impact Assessment (APP-072) - For Seascape and Landscape impacts have been mitigated as far as practical through the Project design which has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline.. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Material assets and cultural heritage (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) - Mitigation includes the project design to prevent or reduce potential impacts on Archaeology and Cultural Heritage receptors include implementation of an agreed programme of archaeological investigation work during construction to ensure that any heritage assets are identified and recorded. An outline version of the Onshore Written Scheme of Investigation has been provided with the application (APP-283).</li> </ul> <p><b>Material assets and cultural heritage (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 13: Marine and Intertidal Archaeology (APP-068) - The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and micro sited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</li> </ul> <p>As such, the Project is considered to accord with the provisions set out within the NPS.</p>
	EN-1  4.3.4	To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.	<p>An ES has been submitted for the Project which undertakes a thorough assessment including environmental, social and economic receptors.</p> <p>The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. The topics referred to in Paragraph 4.3.4 of EN-1, are assessed in the following ES Chapters:</p> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul> <p><b>Equality</b></p> <ul style="list-style-type: none"> <li>Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Biodiversity Net Gain</b></p> <p>A Biodiversity Net Gain Project Principles and Approach Statement (APP-302) has been prepared and submitted alongside the ES. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Applicant is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284) . A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design and in order to comply with the BNG statutory requirements for NSIPs (anticipated in November in 2025). Biodiversity gain calculations, using the Statutory Biodiversity Gain Metric, would be incorporated into a Biodiversity Gain Final Design Report.</p> <p><b>Community Cohesion</b></p> <ul style="list-style-type: none"> <li>ES Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Health and well-being</b></p> <ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> <li>▪ ES Chapter 27 Traffic and Transport (APP-082)</li> <li>▪ ES Chapter 19 Onshore Air Quality (APP-074)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>Where necessary, the ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy and in order to demonstrate how this will be achieved a number of outline management plans are submitted with the application.</p>
	EN-1 4.3.5 – 4.3.7	For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project. Where the NPSs use the term ‘environment’ they are referring to both the natural and historic environments. In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.	<p>The ES topic specific chapters (APP-071 to APP-086) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the Project during the pre-construction, construction, operation and decommissioning phases. These have been prepared in accordance with the Scoping Opinion and Scoping Report included as appendices to the Consultation Report (APP-032) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation , Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Both the natural and historic environments have been considered. The predicted effects at each of the Project stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. As such it is considered that the ES for the Project is in accordance with paragraph 4.3.5 – 4.3.7 of EN-1</p>
	EN-1 4.3.8 – 4.3.9	In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms ‘effects’, ‘impacts’ or ‘benefits’ should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits.  As in any planning case, the relevance or otherwise to the decisionmaking process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and HRA sites.	<p>The Application, in particular the ES (APP-055) has used the requirements and terminology set out within paragraphs 4.3.8-4.3.9 of EN-1.</p> <p>The Application has also adhered to legislative requirements, with further information detailed within Chapter 2 Need, Policy and Legislative Context (APP-057).</p> <p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
Applicant assessment	EN-1 4.3.10 – 4.3.11	The Applicant must provide information proportionate to the scale of the Project, ensuring the information is sufficient to meet the requirements of the EIA Regulations.  In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, The Applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	<p>The level of detail provided is proportionate to the scale of the Project. Section 1.5 of ES Chapter 5: EIA Methodology (APP-060) provides a description of the proportionate approach to environmental assessment that has been used in the production of the ES. Information has been prepared in accordance with the Scoping Opinion and Report (APP-034 and APP-035) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Where full details cannot be provided, the Applicant has explained in the Application which elements of the proposal have yet to be finalised, and the reasons why this is the case. The design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters.</p>
	EN-1	Where some details are still to be finalised, the ES should, to the best of the applicant’s knowledge, assess the likely worst-case environmental, social and economic effects of	To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered, and the ‘Maximum Design Scenario’ (MDS) (known as the ‘Rochdale Envelope’

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	4.3.12 – 4.3.13	<p>the proposed development to ensure that the impacts of the Project as it may be constructed have been properly assessed.</p> <p>To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the Project on the likely significant environmental, social, and economic effects.</p>	<p>approach) has been presented and assessed for each parameter. This approach allows for the assessment of the worst-case impacts specific to each chapter topic. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. Therefore, each chapter will assess the 'realistic worst-case' scenario (WCS) for each of the identified potential impacts, Further information is provided in Section 1.4 of ES Chapter 5: EIA Methodology (APP-060)</p> <p>Within the ES, a range of parameters for each aspect of the Project are defined and the MDS for each receptor and/or impact is identified and considered for assessment. Consultation has also been a key part of the Project, which includes the publication of the Project scoping report and four pre-application phases. The consultation process has followed statutory guidance and has facilitated the identification of matters that have directly led to design changes and commitments. Further information can be found within the Consultation Report (APP-032) and summarised in Chapter 3: Project Description (APP-058).</p> <p>This approach is particularly advantageous for large-scale developments involving complex engineering and multi-year development programmes (including offshore wind) where it is not possible to identify the exact components to be used within the final development, as it provides for flexibility in design and construction and allows for developments in technology to be implemented, provided they are within maximum extents and ranges assessed within the EIA. This is of particular relevance to offshore wind development, where the technology is constantly improving, with larger and more efficient turbines being developed.</p> <p>The use of existing data and site-specific survey has enabled an adequate characterisation of the receiving environment to enable a robust assessment to be undertaken against a realistic worst-case 'Rochdale Envelope' approach to project design. Post-consent, further survey work including Site Investigation (SI) will be required to inform the final detailed design preconstruction.</p>
	EN-1  4.3.15 – 4.3.17	<p>Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility.</p> <p>In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</p> <p>Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.</p>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Chapter 4 provides a description of the site selection process and the approach undertaken by the Applicant to refine the design of the Project. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p> <p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul>
Secretary of State decision making	EN-1 4.3.18 – 4.3.19	The SoS should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	<p>To allow the SoS to consider the worst-case impacts, the design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the ‘realistic worst-case’ scenario for each of the identified potential impacts, referred to as the MDS which considers the likely worst cast environmental, social and economic effects.</p> <p>In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and decommissioning phases of the onshore and offshore aspects of the Project have been considered across the specific ES chapters.</p> <p>The EIA Regulations require a consideration of cumulative effects, which is to say that the overall impact of the Project must be considered together with the impact of other proposed developments in the area. Cumulative effects are assessed and reported within each topic chapter of the ES.</p> <p>Across the ES, inter-related effects for the Project have been considered for both onshore and offshore matters. No significant inter-related effects arising as a result of the Project have been identified.</p>
	EN-1 4.3.20	The Government has set 13 legally binding targets for England under the Environment Act 2021, covering the areas of: biodiversity; air quality; water; resource efficiency and waste reduction; tree and woodland cover; and Marine Protected Areas (MPAs). Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery. The Secretary of State have regard to the ambitions, goals and targets set out in the Government’s Environmental Improvement Plan 2023 for improving the natural environment and heritage. This includes having regard to the achievement of statutory targets set under the Environment Act.	<p>Across the ES (APP-055) relevant legislation and guidance including the Environment Act 2021 have been considered in the assessment of different topic areas like biodiversity and air quality. In addition, such legislation has also been considered in the design of the Project, to ensure the proposed infrastructure is compliant (see additional information within Chapter 2: Need, Policy and Legislative Context (APP-057))</p> <p>The Applicant is also committed to maintaining and enhancing biodiversity as a result of the Project. This is realised within the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, as well as areas outside of the Order Limits. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance.</p> <p>In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-294). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 4.3.22	Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives were taken forward for consultation as appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; only alternatives that can meet the objectives of the proposed development need to be considered.</li> </ul>	<p>This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p>
	EN-1  4.3.23 – 4.3.24	<p>The SoS should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.</p> <p>The SoS should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.</p>	<p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p> <ul style="list-style-type: none"> <li>Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul> <p>Alternatives were identified as early as possible and the site selection process and alternatives considered have been through detailed analysis of environmental, social, and engineering constraints, with key feasible alternatives taken forward for consultation either through the Scoping process, the Evidence Plan, or specific evidence plan meetings.</p>
	EN-1  4.3.25 – 4.3.28	<p>Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the SoS thinks they are both important and relevant to the decision.</p> <p>As the SoS must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the SoS concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the SoS’s decision.</p> <p>Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p> <p>Alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
	EN-1  4.3.29	<p>It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the SoS (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect The Applicant to have assessed it.</p>	
<b>EN-1 Part 4.4. Health</b>			
Health	EN-1  4.4.1-4.4.3	<p>Energy infrastructure has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people’s health.</p> <p>The direct impacts on health may include</p> <ul style="list-style-type: none"> <li>increased traffic</li> <li>air or water pollution</li> <li>dust, odour</li> <li>hazardous waste and substances</li> </ul>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES.</p> <p>Specifically, impacts to human health are assessed within Chapter 30 Human Health (APP-085). Chapter 30 concludes that the main drivers of potential human health effect are the construction process and the associated construction traffic. These activities may lead to increased noise levels, dust and emissions. However, a combination of embedded mitigation (described in this chapter) and additional mitigation (detailed in the relevant technical chapters) can be used to control these impacts to an acceptable level (not significant in EIA terms).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ Noise</li> <li>▪ exposure to radiation, and</li> <li>▪ increases in pests</li> </ul> <p>New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity.</p>	<p>Mitigation measures are included within the OCoCP (APP-268) to be secured as a requirement of the DCO.</p> <p>In light of the above it is considered that the ES for the Project is in accordance with 4.4.1 -4.4.3 of NPS EN-1</p>
Applicant assessment	EN-1 4.4.4 – 4.4.6	<p>As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the Project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society, and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to wider society as a whole.</p>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to human health are assessed within ES Chapter 30 Human Health (APP-085). As noted in the response to EN-1 4.4.1 -4.4.3 above, this assessment finds that for the general population there would be no significant (in EIA terms) effect on human health as a result of the Project.</p> <p>The Project has made a number of commitments during the construction and operational phases of the project to reduce and minimise the impacts to human health which are secured through the Outline Code of Construction Practice (APP-268), Outline Noise and Vibration Management Plan (APP-269), Outline Air Quality Management Plan (APP-270), and the outline onshore archaeological WSI (APP-283).</p> <p>Through consideration of potential impacts to human health, including cumulative assessment, and the provision of mitigation, it is considered that the ES for the Project is in accordance with 4.4.4 -4.4.8 of NPS EN-1</p>
Secretary of state decision making	EN-1 4.4.7 - 4.4.8	<p>Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008.</p> <p>However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.</p>	
<b>EN-1 Part 4.5: Marine Considerations</b>			
Marine Considerations	EN-1 4.5.1	<p>The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide.</p>	<p>The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development.</p> <p>The marine plans and MPS have been considered in developing the application for consents for the Project.</p> <p>In particular the Government's Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.5.2 – 4.5.3	<p>Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations.</p> <p>The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.</p>	<p>In particular the Government’s Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>
	EN-1 4.5.5 – 4.5.6	<p>The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on MPAs, including applying the mitigation hierarchy and using strategic approaches. The guidance will not extend to waters where the devolved administrations have competence for managing MPAs.</p> <p>A dML can be granted as part of the DCO and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and OSSs. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea.</p>	<p>Further guidance is expected from Defra on approaches to more strategic options associated with the mitigation hierarchy, in particular with regards to derogation and compensatory measures. This work is also supported by groups such the Collaboration on Offshore Wind Strategic Compensation (COWSC) which is working to develop measures which can be applied if compensation is required, particularly if a more strategic approach is required.</p> <p>A draft DCO is submitted as part of the Application which identifies requirements that may be applied to the Project, and also incorporates deemed marine licences that would otherwise be required under the Marine and Coastal Access Act 2009, and which identify conditions that may be applied to the Project.</p> <p>The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p>
	EN-1 4.5.7	<p>Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their DCO application.</p>	
Applicant assessment	EN-1 4.5.8	<p>Applicants for a DCO must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent.</p>	<p>The marine plans and MPS have been considered in developing the application for consents for the Project. The Government’s Marine Plans have been considered within the establishment of the baseline environment, set out in Chapter 18 Marine Infrastructure and Other Users (APP-073 ). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p>
	EN-1 4.5.9	<p>Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.</p>	
Secretary of State decision making	EN-1 4.5.10 – 4.5.12	<p>Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a DCO where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas.</p> <p>In making a decision, the SoS is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.</p>	<p>A summary of the potential environmental effects is identified and approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning are set out in each of the offshore ES Chapters.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO as has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 4.6: Environmental and Biodiversity Net Gain (BNG)			
Environmental and Biodiversity Net Gain	EN-1 4.6.1 – 4.6.2	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. BNG is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver BNG.	A Biodiversity Net Gain Report Principles and Approach (APP-302) has been prepared which outlines the commitment of the Project to providing BNG and identifies the onsite and offsite opportunities being proposed/investigated. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. An initial BNG appraisal is included within the Biodiversity Net Gain Report Principles and Approach (APP-302). In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (APP-284). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.  Opportunities for environmental enhancement are also discussed in the Design Principles Statement (APP-293).
	EN-1 4.6.3	Currently BNG policy in England only applies to terrestrial and Intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by Government who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future.	Projects, or components of projects, in the marine environment are not currently included within the scope of the mandatory requirements for biodiversity net gain and are not considered in relevant ES reports.
Applicant Assessment	EN-1 4.6.6-4.6.8	Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. In England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity Baseline and present planned BNG outcomes. This calculation data should be presented in full as part of their application. Where possible, this data should be shared alongside a completed biodiversity metric calculation, with the Local Authority and NE for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). This document is being updated with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric) and will be submitted to the ExA.
	EN-1 4.6.10 – 4.6.12	BNG should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. BNG can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of BNG to be set out within the application for development consent. When delivering BNG off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies, or strategies to use.	The mitigation hierarchy has been applied in the EIA in the first instance to address the potential effects of the Project. An outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) has also been submitted as part of the application which sets out in-principle measures designed to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources arising from the onshore elements of the Project. The purpose of the OLEMS is to: <ul style="list-style-type: none"> <li>▪ Set out the key measures to avoid, reduce, mitigate, or compensate for potential impacts on landscape and biodiversity resources, that may be required prior to, during and post construction (where applicable);</li> <li>▪ Provide an outline of the management required to ensure that both created and enhanced habitats achieve target condition, and that populations of species are maintained at favourable conservation status; and</li> <li>▪ Ensure compliance with the relevant legislation relating to ecology.</li> </ul> An Biodiversity Net Gain Report Principles and Approach (APP-302) was submitted as part of the DCO Application. This document presents the initial findings of the provisional Biodiversity Net Gain (BNG) assessment and presents the Project's principles and approach to BNG in respect of proposed onshore

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>aspects of the Project, outlining the Applicant’s ambition to deliver BNG and demonstrating their work to date in relation to both onsite and offsite opportunities, alongside an inclusion of a baseline assessment calculation. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284).</p> <p>This document is being updated to account for further progress made by the Applicant and with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric). This update, alongside any future iterations of the report or metric in response to new or developed opportunities that arise during the examination phase will be submitted to the ExA. Where relevant, an updated OLEMS will also be submitted to secure BNG commitments made.</p> <p>Detailed design is likely to see the maximum design scenario reduced as efficiencies in delivery cost, schedule and electrical transmission are accounted for in detail. The detailed design scenario will therefore be used to determine a more accurate estimation of the Project’s BNG.</p>
	EN-1 4.6.13	<p>In addition to delivering BNG, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as reductions in GHG emissions, reduced flood risk, improvements to air or water quality, climate adaptation, landscape enhancement, increased access to natural greenspace, or the enhancement, expansion or provision of trees and woodlands. The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.</p>	<p>In addition to possible BNG benefits, the Project will deliver a number of other environmental enhancements, including contributing towards meeting GHG targets at the local-national scales. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>Landscape enhancement is captured in the captured in an outline Landscape and Ecological Management Strategy (OLEMS) (APP-284), as is mitigation, which sets out several principles for the loss priority habitats and impacts on protected species, whilst also delivering positive biodiversity impacts. Further information on Local Area benefits is provided in Section 2.3 of the Design Approach Document (APP-292).</p>
	EN-1 4.6.14	<p>The Environment Act 2021 mandated the preparation of LNRs across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government’s 25 Year Environment Plan.</p>	<p>With regards to LNRs, these are not yet currently available. Currently, the Greater Lincolnshire LNR is in its early stages of project planning and organisation. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRs should be in place across the whole of England.</p>
	EN-1 4.6.15	<p>Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the Project.</p>	<p>An ES (APP-055 -APP-234) accompanies the application which, alongside the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) and Biodiversity Net Gain Report Principles and Approach (APP-302), sets out potential opportunities for net gain that are being explored by the Applicant.</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Further commentary of the Project's approach to biodiversity can be found within the Biodiversity Net Gain Report Principles and Approach (APP-302),</p> <p>Additional information on how the Project has adopted good design principles can also be found within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), which outlines that the Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts.</p> <p>Consideration of good design principles is also provided in the Design Approach Document (APP-292) and Design Principles Statement (APP-293)</p>
	EN-1 4.6.16	Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', the governments guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.	<p>The policy, legislation and guidance that has informed the assessment relating to natural capital assets and ecosystems services is outlined within ES Chapter 21 Onshore Ecology (APP-076) and includes:</p> <ul style="list-style-type: none"> <li>▪ Conservation of Habitats and Species Regulations 2017</li> <li>▪ Wildlife and Countryside Act 1981</li> <li>▪ Environment Act 2021</li> <li>▪ Natural Environment &amp; Rural Communities Act 2006</li> <li>▪ Biodiversity Metric 4.0 calculator and User Guide (Natural England, 2021)</li> <li>▪ 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2'. (CIEEM, 2022).</li> </ul>
	EN-1 4.6.17	Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	<p>The Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design.</p> <p>The ES also sets out the alternatives considered and explains the main reasons for the choice between alternative.</p> <p>ES Chapter 5 Environmental Impact Assessment Methodology (APP-060) describes the site-specific details of the stages of the design iteration from inception through to the current point of ES DCO submission where environmental considerations were a key factor in decision making.</p> <p>Where appropriate, as concluded within the Planning Statement (APP-297) compensation has been set out to ensure there is no significant residual environmental effects.</p>
	EN-1 4.6.18	Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.	The opportunities outlined in Part 5 of this NPS have been considered in the development of the Project. Throughout the ES (APP-055) opportunities for environmental, social, and economic enhancements, protection and mitigation measure have been set out. Mitigation is outlined in the Schedule of Mitigation (APP-287).
Secretary of State Decision Making	EN-1 4.6.1	Although achieving BNG is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for DCO unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.	The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before.
	EN-1	The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within	The Applicant is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.

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	4.6.2 – 4.6.3	<p>an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.</p> <p>The SoS should give appropriate weight to environmental and BNG, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p>	
EN-1 Part 4.7: Criteria for “good design” for energy infrastructure			
Criteria for good design for Energy Infrastructure	EN-1 4.7.1	<p>The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted such that the aesthetic appearance of the infrastructure elements does not detract from landscape quality.</p> <p>Opportunities for making final design decisions early are limited by the need to retain flexibility across several parameters including WTG numbers, size, and location through the planning stages and the need to assess worst-case environmental effects has been conducted as a result throughout the ES.</p> <p>However, where practically possible, the Applicant has proposed mitigation measures to enhance landscape quality as outlined within Chapter 28: Landscape and Visual Assessment (APP-083). This includes positive ecological enhancement proposals within the OLEMS (APP-284) which provides for the incorporation of screening proposals that form part of a proposed approach to enhancement of biodiversity.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>
	EN-1 4.7.2 - 4.7.4	<p>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</p> <p>Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.</p>	<p>“Good design” has been at the forefront of decision making throughout the evolution of the Project; strongly influencing site selection and the design commitments and principles which the Applicant has been able to reach at this stage. The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Project was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects.</p> <p>The siting of the Project’s landfall, onshore ECC and OnSS have incorporated design considerations from the outset. The Project took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and</p>

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		<p>Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.</p>	<p>onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into the following driving principles:</p> <ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve the Project’s purpose.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Project taken on board the feedback from stakeholders and the local communities to deliver the Project in best possible way.</li> <li>▪ Sense of Place – how the Project can create a distinctive place that delivers beneficial spatial outcomes for the local community.</li> </ul> <p>The Project has been the subject of an iterative design and site selection process, across these stages principles of good design have been applied. The Applicant has adopted several modern construction and sustainable design practices, which are described within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This includes committing to burying all onshore cables as opposed to using overhead lines to minimise landscape effects and committed to using trenchless technologies where possible, to avoid compromising existing sea defences, help protect sensitive receptors and minimise the extent of direct interaction with coastal features. As an example, the commitment to undertake approximately 216 trenchless crossings has also meant the Applicant has managed to avoid the removal of up to 17,280m of hedgerows along the Onshore ECC and 400kV cable corridor</p> <p>Principles of good design as a way to mitigate adverse impacts of have been considered at the early stages of the Project.</p> <p>Further commentary can also be found within Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052)</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>
Applicant Assessment	EN-1 4.7.5	<p>To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.</p>	<p>Section 5.3 of the DAD confirms that the Applicant has appointed a Design Champion in accordance with the NPS. The Design Champion will be accountable for delivering coherent good design and holds the project team to account in terms of a macro vision of design. The Design Champion will guide and champion an iterative design process to test the best way of achieving the design principles as set out in the DAD where further detail on the Design Champion Role is also provided. Section 5.4 of the DAD confirms the Project has committed to a Local Design Panel as well as an External Design Review of the OnSS, alongside further information on external design review approach.</p> <p>Design decisions in terms of the Project’s infrastructure and location are set out within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This chapter shows how design principles have been established from the outset of the Project to guide the development from conception to operation.</p> <p>Further design considerations of relevance to the onshore and offshore design are set out in Chapter 3 Project Description (APP-058).</p> <p>Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the OnSS is outlined within the OLEMS (APP-284).</p>

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			<p>The Project's approach to good design- (taking fully into account the policy requirements) is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293).</p> <p>As such, in so far as practicable, it is considered that the Project is in accordance with paragraph 4.7.5.</p>
	<p>EN-1 4.7.6 – 4.7.9</p>	<p>Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform, and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.</p> <p>Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.</p> <p>Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.</p> <p>Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.</p>	<p>The Applicant has considered their approach to the design of each of the offshore and onshore elements in a holistic way. This is detailed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The chapter considers each offshore and onshore design element, its relationship to the other elements of the design as well as the consultation responses received to inform their optioneering works and ultimately refine the Project design to the Order limits.</p> <p>The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. . Embedded environmental measures that address Seascape, Landscape and Visual effects are presented in Chapter 17 Seascape, Landscape and Visual (APP-062) and measures that address onshore landscape and visual effects are presented in Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>For the onshore infrastructure, a key design choice made at the start of the Project was to install cables underground, rather than using overhead lines, to convey electricity from Landfall to the OnSS. Further consideration has been had when proposing laying of cables, identifying potential reinstatement measures and enhancements for the surrounding area.</p> <p>The OnSS does lead to some visual effects, however these are not considered significant past 15 years (as assessed in ES Chapter 28: Landscape and Visual Assessment (APP-083)). Impacts have been minimised as far as practical during the site selection process. The OnSS will be located in an area where significant effects are not avoidable, and as such proposals for additional screening and planting are set out in Design Principles Statement (APP-293), which would provide mitigation and enhancements to the local area and reduce the significance of effect in the long term and incrementally during the initial period of planting establishment.</p> <p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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Secretary of State decision making	EN-1 4.7.10 – 4.7.11	<p>In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.</p> <p>In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.</p>	<p>As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The proposal as presented is both sustainable and functional. For example, Table 3.1 of the Design Principles Statement (APP-293), sets out the design principles that are to be adopted, categorised in line with the four design principles to guide the planning and delivery of major infrastructure as set out in ‘Design Principles for National Infrastructure’ (National Infrastructure Commission, February 2020), namely Climate, People, Place and Value. The table sets out how design principles such as safety, functionality, visual impact and environmental mitigation will be considered in the design of the OnSS.</p> <p>The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the Project objectives.</p> <p>Further design considerations relating to functionality, sustainability and aesthetics are set out in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p> <p>Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284). The ES takes into account climate change and natural hazards.</p> <p>With regards to offshore design, the Project is being designed in so far as reasonably practicable to apply good design, siting WTGs in an area that seeks to reduce visual effects, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements, such as reducing WTG height or altering colour are not considered feasible due to the flexibility needed to account for due to uncertainty in unforeseen technological advances (as recognised in NPS EN-3) or due to other considerations, such as operational safety, which requires the WTGs to be appropriately marked and painted to comply with navigational safety requirements.</p>
	EN-1 4.7.12 – 4.7.15	<p>In considering applications, the SoS should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. The SoS should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period.</p> <p>The SoS should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects.</p>	<p>Safety of the public and operatives is an overriding principle that must be given the highest priority when making every design decision. The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the project objectives.</p> <p>The ES chapters scoped into the Project assess all operational phase impacts as occurring throughout the operational lifetime of the Project, rather than a shorter time period.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Further advice on what the SoS should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.	
EN-1 Part 4.10: Climate Change Adaptation and Resilience			
Climate Change Adaptation and Resilience	EN-1 4.10.1	Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	The ES has considered the potential effects of climate change and natural hazards of the Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, as it would be expected to occur without the implementation of the development, in so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through climatic changes over the lifetime of the Project.
	EN-1 4.10.2	Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter, winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	Chapter 3 Project Description (APP-058) describes how the Project has adopted a Maximum Design Scenario (MDS), which is illustrative of the Project's resilience to environmental changes anticipated during the lifetime of the Project.  The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Chapter 31: Climate Change (APP-086). Examples include:
	EN-1 4.10.3-4.10.4	To support planning decisions, the government produces a set of UK Climate Projections as well as hazard specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.  The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).	<ul style="list-style-type: none"> <li>▪ Changes in air quality/composition;</li> <li>▪ Changes in flood risk; and</li> <li>▪ Changes in wind speed.</li> </ul> <p>Once construction is complete, the O&amp;M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>In summary the Project demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p>
	EN-1 4.10.5 – 4.10.7	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.  In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.	<ul style="list-style-type: none"> <li>▪ employing a high quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses; and</li> <li>▪ incorporating measures which promote and enhance green infrastructure and explore opportunities for overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul>
	EN-1 4.10.8 – 4.10.9	New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g., site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g., access roads or other critical dependencies impacted by flooding, storms, heatwaves, or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.	As outlined in Chapter 31 Climate Change (APP-086), the Project will make a substantial contribution to the delivery of renewable energy and accelerate national efforts towards Net Zero GHG emissions.  The characterisation of the flood risk Baseline and future Baseline is established using the Environment Agency's Development Advice Map and data from recent hydraulic models, which take into account climate change effects.

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		<p>The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations.</p>	<p>The Flood Risk Assessment: Onshore ECC (APP-211) and the Flood Risk Assessment: OnSS (APP-212) also provide additional information on how the NPS requirements have been met, including accounting for climatic and seasonal changes.</p>
	<p>EN-1 4.10.10- 4.10.12</p>	<p>Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</p> <p>Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.</p> <p>Where energy infrastructure has safety critical elements, The Applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.</p>	<p>The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections. Examples include:</p> <ul style="list-style-type: none"> <li>▪ Changes in air quality/composition</li> <li>▪ Changes in flood risk</li> <li>▪ Changes in wind speed</li> </ul> <p>The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul> <p>The OnSS design includes a surface water drainage system to manage rainfall runoff from the proposed OnSS. The design of the drainage system incorporates an allowance for climate change to rainfall patterns over the lifespan of the development and will ensure that there is no change to the local hydrology or flood risk</p>
<p>Secretary of State decision making</p>	<p>EN-1 4.10.13 – 4.10.19</p>	<p>The SoS should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA's Climate Change Allowances for FRA or the Welsh Government's Climate change allowances and flood consequence assessments) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.</p> <p>Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.</p> <p>The SoS should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the</p>	<p>Chapter 31 Climate Change (APP-086) of the ES concludes that the Project will not give rise to consequential impacts in relation to climate change, following the implementation of embedded and additional mitigation measures.</p> <p>The Project has demonstrated through the ES (APP-055) using the latest UK Climate projections. that it is resilient to climate change and has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources.</li> <li>▪ The characterisation of the flood risk baseline and future baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments (SFRA) and data from hydraulic models, which take into account climate change effects. This</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS.</p> <p>Any adaptation measures should be based on the latest set of UK Climate Projections, the Government’s latest UK Climate Change Risk Assessment, when available and in consultation with the EA’s Climate Change Allowances for Flood Risk Assessments or the Welsh Government’s Climate change allowances and flood consequence assessments. The SoS may take into account reporting authorities reports to the SoS when considering adaptation measures proposed by an applicant for new energy infrastructure.</p> <p>Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the Project and/or surrounding environment (for example coastal processes), the SoS may consider requiring the applicant to keep the need for the adaption measure under review, and ensure that the measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls)</p>	<p>information is contained in ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) and is also contained within the Onshore Substation (OnSS) Flood Risk (FRA) (APP-212) and the onshore Export Cable Corridor (ECC) FRA (APP-211). Flood risk has been considered for the life of the development</p> <ul style="list-style-type: none"> <li>▪ Flood risk has also been considered in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</li> <li>▪ The Project is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: <ul style="list-style-type: none"> <li>▪ demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</li> <li>▪ identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</li> <li>▪ propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</li> <li>▪ include appropriate flood warning and evacuation procedures where necessary which have been undertaken in consultation with the authority’s emergency planning staff;</li> <li>▪ incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</li> <li>▪ demonstrates that the Project will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</li> <li>▪ demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</li> <li>▪ ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.</li> </ul> </li> </ul>
<b>EN-1 Part 4.11 Network Connection</b>			
Network Connection	EN-1  4.11.1 – 4.11.4	<p>The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend a generation plant.</p> <p>In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated.</p>	<p>The Project includes infrastructure required to connect the new power station to the National Grid. A description of the onshore and offshore transmission system and the associated infrastructure is set out within Chapter 3 Project Description (APP-058): The transmission system comprises the following key components:</p> <ul style="list-style-type: none"> <li>▪ Offshore substations (OSSs)</li> </ul>

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		<p>To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission.</p> <p>Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in Section 4.2 of this NPS and EN-5</p>	<ul style="list-style-type: none"> <li>▪ Offshore reactive compensation platforms (ORCPs)</li> <li>▪ Array, interlink, and export cables</li> <li>▪ Project onshore substation (OnSS)</li> <li>▪ Necessary associated development required to transmit the power generated by the turbines to the connection with the National Grid transmission network (the grid connection location).</li> </ul>
	<p>EN-1  4.11.5 - 4.11.6</p>	<p>The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) or TSO to secure a grid connection.</p> <p>Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application.</p> <p>In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.</p>	<p>Connection to the National Grid, will include 400kV underground circuit(s) running from the OnSS to a new National Grid Electricity Transmission (NGET) substation which is to be consented separately by NGET.</p> <p>Further commentary on the transmission system is provided within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Outline Cable Specification and Installation Plan (APP-278)</li> <li>▪ Design Principles Statement (APP-293)</li> <li>▪ Cable Statement (APP-299)</li> <li>▪ Outline Scour and Cable Protection Management Plan (APP-295)</li> <li>▪ ES Chapter 3 Appendix 1 Cable Burial Risk Assessment CONFIDENTIAL (APP-142)</li> </ul>
	<p>EN-1  4.11.7 – 4.11.10</p>	<p>The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the SoS or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall.</p> <p>On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.</p> <p>If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.</p> <p>It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms as outlined in EN-5.</p>	<p>The Project will include both offshore and onshore infrastructure including:</p> <ul style="list-style-type: none"> <li>▪ Offshore generating station (windfarm);</li> <li>▪ Offshore export cables to landfall;</li> <li>▪ Offshore Reactive Compensation Platforms (ORCP);</li> <li>▪ Onshore export cables from landfall to the OnSS;</li> <li>▪ OnSS and 400kV cables to the National Grid substation1 (NGSS); and,</li> <li>▪ Ancillary and/or Associated Development including areas for the delivery of up to two Artificial Nesting Structures (ANS) and the creation and recreation of a biogenic reef (if these compensation measures are deemed to be required by the Secretary of State) (see ES Chapter 3: Project Description (APP-058) for full details).</li> </ul> <p>The Explanatory Memorandum (APP-304), and Draft DCO (APP-303), confirm development consent is sought for these elements of the Project comprising the Generating Station (NSIP), Associated Development and Ancillary Development aspects of the Project.</p> <p>Information regarding the National Grid Substation and Connection Area can be found within Section 8.5.2 of Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The National Grid Substation was also included as a part of the Projects onshore cumulative assessment as shown in Annex 1 of appendix 5.3 (APP-148)</p>
<p>Secretary of State decision making</p>	<p>EN-1  4.11.12 – 4.11.13</p>	<p>The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.</p>	<p>The Applicant has secured a grid connection in agreement with National Grid. The Project's OnSS will be located at Surfleet Marsh , with a proposed 400kV cable running under the River Welland from Surfleet Marsh to National Grid's substation at Weston Marsh. .</p>

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		Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State's ability to take subsequent decisions on any related projects.	A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the OnSS is provided in the Outline Cable Specification and Installation Plan (APP-278) and within Chapter 3 Project Description (APP-058).

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EN-1 Part 4.12: Pollution control and other environmental regulatory regimes			
Pollution Control and Other Environmental Regulatory Regimes	EN-1 4.12.1 - 4.12.2	<p>Issues relating to discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes, for example local planning consent or marine licences (see paragraph 4.5.6 for more information).</p> <p>The planning and pollution control systems are separate but complementary. The planning system controls the development and use of land in the public interest. It plays a key role in protecting and improving the natural environment, public health and safety, and amenity, for example by attaching conditions to allow developments which would otherwise not be environmentally acceptable to proceed and preventing harmful development which cannot be made acceptable even through conditions. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines how the areas most vulnerable and susceptible to pollution have been avoided where practically possible. With regards to the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures such as, but not limited to, the OLEMS (APP-284), and the OCoCP (APP-268), which will be implemented to ensure the relevant pollution control regime is properly applied and approved in advance of construction by the relevant regulator.</p> <p>Regarding offshore matters, the Government's Marine Plans have been considered in developing the Project. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Through scoping to application, Marine Plans, other relevant legislation, and feedback from relevant stakeholders, such as the MMO, has been fed into the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p> <p>With regards to the marine environment and relevant pollution control mitigation measures, these will be managed through the production of a Marine Pollution Contingency Plan (MPCP) and an outline Project Environmental Management Plan (PEMP) (APP-277), to ensure that the potential for contaminant release is strictly controlled. The PEMP will include a MPCP and will also incorporate plans to cover accidental spills, potential contaminant release, and include key emergency contact details (e.g., Environment Agency, NE, Maritime Coastguard Agency and the Project site co-ordinator). The PEMP will be secured as a condition in the dML(s).</p> <p>As detailed within Other Consents and Licences (APP-305), the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator.</p>
	EN-1 4.12.3 – 4.12.4	<p>Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting Regulations require industrial facilities to have an Environmental Permit and meet limits on allowable emissions to operate.</p> <p>Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are, will now be determined through a new UK-specific BAT process.</p>	<p>As detailed within Other Consents and Licences (APP-305) where required, relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The document provides information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of the Project.</p> <p>The Project falls outside the current UK specific BAT process.</p>
Applicant assessment	EN-1 4.12.5	<p>Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.</p>	<p>The Government's Marine Plans have been considered within the establishment of the Baseline environment, as set out in Chapter 18 Marine Infrastructure and Other Users (APP-073) which provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning phase. The Government's Marine Plans are also considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter. The Planning Statement (APP-297) concludes there</p>

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			<p>is no conflict between the NPS and any marine planning document proposals. They meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible. The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p> <p>. Further information can be found within the Consultation Report (APP-032).</p>
	EN-1 4.12.6	Many projects covered by this NPS will be subject to the EPR which also incorporates operational waste management requirements for certain activities. When an applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.	As detailed within Other Consents and Licences (APP-305), where required the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The requirement for an environmental permit in respect of certain flood risk activities (e.g. works within the vicinity of or crossing main rivers or flood defences) has been disapplied in the draft DCO and instead, approval of details will be sought from the Environment Agency in accordance with the protective provisions (unless a flood risk activity exemption applies).
	EN-1 4.12.7 – 4.12.8	Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other such as marine licences. Wherever possible, applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent.	Consultation is a key part of the DCO application process. Technical Consultation regarding this Project has been conducted through the publication of the Scoping Report (Outer Dowsing Offshore Wind, 2022), the publication of the PEIR, other Phase 2 consultation materials (Outer Dowsing Offshore Wind, 2023), and discussions with relevant stakeholders through both the EPP, and bilateral consultation as appropriate. Full details of the above consultations are provided in Chapter 6 Technical Consultation (APP-061).
Secretary of State decision making	EN-1 4.12.9 – 4.12.10	In considering an application for development consent the SoS should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves. The SoS should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The SoS should act to complement but not seek to duplicate them.	<p>The Project has been subject to an iterative site selection and alternatives process Chapter 4 Site Selection and Consideration of Alternatives (APP-059) which demonstrated that the development is the most suitable alternative, and an acceptable use of the land at the proposed location. Specifically, with regards the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures. These measures will be secured through the OLEMS (APP-284), the OCoCP (APP-268), and the Pollution Prevention and Emergency Incident Response Plan (PPEIERP) (APP-272) which will be implemented to ensure the relevant pollution control.</p> <p>Further information is also provided within Other Consents and Licences (APP-305) regarding the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 that will be applied for post consent, with applications made to the relevant regulator.</p> <p>The Outline Project Environmental Management Plan (APP-277) and Outline Code of Construction Practice (APP-268) and associated environmental management plans, provide the framework for the project controlling its emissions and discharges to the offshore and onshore environment by the project respectively. All onshore contractors and subcontractors will work in accordance with the Code of Construction Practice. All offshore contractors will work under a PEMP, produced in accordance with the outline PEMP. Emergency procedures will be developed under these documents for the onshore and offshore works and will include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures.</p>
	EN-1	The SoS's consent may include a deemed marine licence and the MMO or NRW will advise on what conditions should apply to the dML.	The draft DCO incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act (MCAA) 2009, and which identify conditions that may be applied to the Project.

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	4.12.11 – 4.12.13	The SoS and MMO or NRW should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation.  In considering the impacts of the Project, the SoS may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	The Order contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (dML 1) and one for the offshore transmission assets (dML 2). The Order also contains four deemed marine licences for the potential artificial nesting structures.  The Applicant has consulted extensively with the MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard to these are outlined in Consultation Report Appendix 5.1.4B Section 42 Responses (APP-038)
	EN-1  4.12.14 – 4.12.15	The SoS should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the SoS should be satisfied, before consenting any potentially polluting developments, that: <ul style="list-style-type: none"> <li>the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and</li> </ul> the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	The ES provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards potential pollution in the offshore and onshore environment.  The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.  This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project.  Regarding bullet 2 of Paragraph 4.12.15, the Project has proposed several pollution prevention measures which will ensure the Project does not exceed any statutory environmental limits, as listed below:
	EN-1  4.12.16	The SoS should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the SoS to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.	<ul style="list-style-type: none"> <li>Outline Code of Construction Practice (APP-268) which incorporates measures to prevent pollution;</li> <li>Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) will be used to prepare a final management plan and held on all construction sites to follow in the event of an environmental emergency; and</li> <li>Outline Project Environmental Management Plan (APP-277) which will control the release of contaminations relating to offshore activities. The final PEMP will also include a Marine Pollution Contingency Plan (MPCP) and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site co-ordinator). The PEMP will be secured as a condition in the deemed Marine Licence.</li> </ul>
<b>EN-1 Part 4.13: Safety</b>			
Safety	EN-1 4.13.1 – 4.13.2	In addition to its role in the planning system, the HSE is the independent regulator for workplace health and safety and is responsible for enforcing a range of health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Some technologies, for example, major accident hazard pipelines, will be regulated by specific health and safety legislation. The application of these regulations is set out in the technology specific NPSs where relevant.	Best practice health and safety measures will be secured and adhered to, namely through the OCoCP (APP-268) which sets out health and safety principles, including: <ul style="list-style-type: none"> <li>The adoption of appropriate health industry standards;</li> <li>The appointment of a principal contractor who will develop a construction phase plan that safeguards the safety of workers in accordance with legal requirements; and</li> </ul> Appropriate Personal Protective Equipment (PPE) will be worn by construction workers including sub-contractors.
	EN-1 4.13.3 – 4.13.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e., from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear)	The Applicant does not consider that the Project, either in the context of the offshore wind turbine generators (WTGs), transmission infrastructure or the OnSS to fall under the Control of Major Accident Hazards (COMAH) Regulations 2015. The Project is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the

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		and the EA acting jointly in England and by the HSE and NRW acting jointly in Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.	Project does not fall under the COMAH Regulations 2015. As such, the Applicant is not seeking to develop infrastructure subject to the COMAH regulations and a safety report is not required.
Applicant Assessment	EN-1 4.13.5– 4.13.7	Applicants should consult with the HSE on matters relating to safety. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	As noted in the response above, The Applicant does not consider that the Project, falls under the COMAH Regulations 2015  The Applicant has made use of appropriate guidance to better understand the likelihood and occurrence of an accident or disaster. The description and assessment consider the vulnerability of the Project to a potential accident or disaster and also the development's potential to cause an accident or disaster. The assessment specifically assesses significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects are presented in the ES.  The Applicant has engaged with the Health and Safety Executive (HSE) through the statutory consultation carried out under section 42 of the 2008 Act. The HSE's responses and how the Applicant has had regard to these is set out in the Consultation Report (APP- 032) and Appendix 4B to the Consultation Report (APP-038)
Secretary of State decision making	EN-1 4.13.8	The SoS should be satisfied that a safety assessment has been prepared, has raised no safety objections.	It was agreed at the Scoping stage that a separate chapter on Major Accidents and Disasters within the Environmental Statement (ES) was not required. The risk of 'major accidents and/or disasters' occurring associated with any aspect of the Project, during the construction, operation and decommissioning phases are anticipated to be negligible, following guidance published by IEMA on Major Accidents and Disasters in EIA (IEMA, 2020). Instead, an outline Code of Construction Practice and Outline Pollution Prevention and Emergency Incident Response Plan has been provided as part of the DCO application (APP-268 and APP-272). A Hazard Identification (HazID) Report will be prepared and agreed with the relevant planning authority prior to construction of DCO Work  Safety elements have been assessed throughout the ES for the Project. A safety statement will be produced post consent.
<b>EN-1 Part 4.14: Hazardous substances</b>			
Hazardous Substances	EN-1 4.14.1 – 4.14.4	All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.' Where HSE does not advise against the SoS granting the consent, it will also recommend whether the consent should be granted subject to any requirements.	It is not the intention of The Applicant to apply for Hazardous Substance Consent.  Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed within Chapter 30 Human Health (APP-085).  The OnSS would contain potential pollutants which could include cooling oils, lubricants, fuels, greases, etc. The design, maintenance and operation of the facility would follow good practice in line with the prevailing future guidance and legislation with regard to measures such as the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants.  Further to this the ES (APP-055) provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards to potential pollution in the offshore and onshore

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			<p>environment. The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.</p> <p>This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project. It should also be noted that the DCO will contain a condition in the dMLs that will require a MPCP to be submitted for approval post consent which will also provide mitigation relating to the control of hazardous substances. An outline Project Environmental Management Plan (APP-277) has been provided which will control the release of contaminations relating to offshore activities. The final PEMP will also include the MPCP and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site coordinator).</p>
Applicant Assessment	EN-1 4.14.5 - 4.14.6	<p>Applicants must consult the (HSA) and HSE at pre-application stage if the Project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety.</p> <p>HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The Applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.</p>	It is not the intention of The Applicant to apply for Hazardous Substance Consent.
Secretary of State decision making	EN-1 4.14.7	Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The Secretary of State should consult HSE about this.	
<b>EN-1 Part 4.15: Common Law Nuisance and Statutory Nuisance</b>			
Common Law Nuisance and Statutory Nuisance	EN-1 4.15.1 - 4.15.4	<p>Section 158 of the Planning Act 2008 confers statutory authority for carrying out development consented to by, or doing anything else authorised by, a DCO.</p> <p>Such authority is conferred only for the purpose of providing a defence in any civil or criminal proceedings for nuisance. This would include a defence for proceedings for nuisance under Part III of the Environmental Protection Act 1990 (EPA) (statutory nuisance) but only to the extent that the nuisance is the inevitable consequence of what has been authorised.</p> <p>The defence does not extinguish the local authority's duties under Part III of the EPA 1990 to inspect its area and take reasonable steps to investigate complaints of statutory nuisance and to serve an abatement notice where satisfied of its existence, likely occurrence or recurrence.</p> <p>The defence is not intended to extend to proceedings where the matter is "prejudicial to health" and not a nuisance.</p>	Whilst paragraph 4.15.1-4.15.4 does not set out specific requirements, Chapter 26 Noise and Vibration (APP-081) outlines that the relevant statutory and non-statutory authorities and stakeholders with respect to noise have been consulted and consequent feedback has influenced the design of the Project and the proposed mitigation, including the Outline Noise and Vibration Management Plan (APP-269) which will be secured as a result of the Project.
Applicant Assessment	EN-1 4.15.5	At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration)	The Applicant has provided a Statutory Nuisance Statement (APP-301) in accordance with Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 which requires the applicant for a DCO to provide a statement as to whether the application engages

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Secretary of State decision making	EN-1 4.15.6- 4.15.7	<p>At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).</p> <p>The SoS should note that the defence of statutory authority is subject to any contrary provision made by the SoS in any particular case in a DCO (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the SoS can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.</p>	<p>Section 79(1) (Statutory nuisances and inspections therefor) of the Environmental Protection Act 1990 (the 1990 Act) and, if it does, how the applicant intends to mitigate or limit such nuisances.</p> <p>The Statutory Nuisance Statement draws upon the ES (APP-055) to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297). The ES, which has been prepared by the Applicant as part of the process of environmental impact assessment for the application, has analysed the potential significant effects of a number of elements specified in Section 79(1) of the 1990 Act.</p> <p>The Project has identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas which could suffer from nuisance are located away from the Project's infrastructure elements as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Throughout the ES, the Project proposes several mitigation measures to limit nuisance, including as outlined in the Outline Code of Construction Practice (OCoCP) (APP-268) which sets out best practice measures and standard protocol which will be incorporated into the final CoCP</p> <p>The Statutory Nuisance Statement demonstrates that, with the implementation of these mitigation measures where appropriate (which will be secured by requirements attached to the DCO), claims for statutory nuisance are unlikely to arise from the Project.</p> <p>Whilst it is not expected that the construction, operation, maintenance or decommissioning of the Project would engage Section 79(1) by causing statutory nuisances, the draft DCO (APP-303) that accompanies the application contains a provision at Article 8 (Defence to proceedings in respect of statutory nuisance) to provide a defence to proceedings for statutory nuisance, should they be initiated against the Applicant (or its successors) as undertakers of the Project.</p>
<b>EN-1 Part 4.16: Security Considerations</b>			
Security Considerations	EN-1 4.16.1 - 4.16.5	<p>National security considerations apply across all national infrastructure sectors. DESNZ works closely with government security agencies including the National Protective Security Authority (NPSA) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation.</p> <p>In the UK's civil nuclear industry, security is also independently regulated by the ONR.</p> <p>Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Where applications for development consent for infrastructure covered by this NPS relate to potentially 'critical' infrastructure, there may be national security considerations.</p> <p>DESNZ will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified.</p>	<p>The Applicant has consulted to ensure that security measures have been considered and included where necessary to manage security risks. No security risks have been identified.</p> <p>DESNZ have already been notified during the pre-application stage about the proposals in line with Paragraph 4.16.5 of EN-1.</p>
Applicant Assessment	EN-1 4.16.6 – 4.16.7	<p>Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, ONR (for civil nuclear) and/or DESNZ to ensure</p>	<p>The Applicant has consulted with DESNZ to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. No security risks have been identified by CPNI, ONR (for civil nuclear) and/or DESNZ.</p>

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		security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. The applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.	ES Chapter 16: Aviation, Radar, Military and Communication (APP-071) confirms that the Applicant has been and will continue to engage with the MOD during the application process. The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar (PSR) systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
Security considerations	EN-1 4.16.8 – 4.16.10	If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the SoS, it will provide confirmation of this to the SoS. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence may take place in a closed session as set out under Examination Procedure Rules. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government’s Environmental Improvement Plan 2023.	The Applicant does not consider there to be any security implications arising from the Project and (subject to relevant consultation responses) does not, therefore, expect the SoS to have to give further consideration to the details of the security measures in its examination.
<b>EN-1 Part 5: Generic Impacts</b>			
<b>EN-1 Part 5.2: Air Quality and Emissions</b>			
Air Quality and Emissions	EN-1 5.2.1 - 5.2.2	Energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).  Legal limits for pollutants in ambient air are set out in the Air Quality Standards Regulations 2010 and for England, national objectives set out in the Air Quality (England) Regulations 2000 reiterated in the Air Quality Strategy, or for Wales, the Air Quality (Wales) Regulations 2000 and the Clean Air Plan for Wales. In addition, two fine particulate matter (PM2.5) targets were set under the Environment Act 2021 for England – an annual mean concentration target and a population exposure target. Internationally agreed emissions commitments are set in the National Emission Ceilings Regulations 2018 and establish limits for total UK emissions of key pollutants.	Chapter 19 Onshore Air Quality (APP-074) sets out several proposed measures to ensure that the Project does not have significant effects on air quality. These include: <ul style="list-style-type: none"> <li>▪ Carrying out construction works in accordance with best practice measures; and</li> <li>▪ The preparation of the OCoCP (APP-268) that outlines management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The document also includes a series of controls that are detailed with the Outline Air Quality Management Plan (OAQMP) (APP-270).</li> </ul> The assessment within Chapter 19 Onshore Air Quality (APP-074) also considers relevant legislation including the Air Quality Standards Regulations 2010 which support the conclusion that the Project will not result in any significant adverse effects given the thresholds/legal limits are not exceed as a result of the proposals.
	EN-1 5.2.3 - 5.2.4	For many air pollutants there is not a threshold below which there is no health impact so it is important that energy infrastructure schemes consider not just how a scheme may impact statutory air quality limits, objectives or targets but also measures to mitigate all emissions in order to minimise human exposure to air pollution, especially for those who are more susceptible to the impacts of poor air quality.	Chapter 30 Human Health (APP-085) concludes that. , no significant impacts are predicted and the change in air quality is below all statutory thresholds for health protection (during the construction phase). The Project has committed to embedded mitigation as set out in Table 30.6 in APP-085 including the development of and adherence to a CoCP during construction to mitigate all emissions and minimise human exposure to air pollution including potentially vulnerable groups as assessed in section 30.5. Potential effects in relation to Eutrophication are considered in Chapter 19 Onshore Air Quality (APP-074).

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		<p>In addition, a particular effect of air emissions from some energy infrastructure may be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of NOx and ammonia. The main emissions from energy infrastructure are from generating stations. Eutrophication can affect plant growth and functioning, altering the competitive balance of species and thereby damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal blooms, which remove oxygen from the water, adversely affecting plants and fish. The effects on ecosystems can be short term or irreversible and can have a large impact on ecosystem services such as pollination, aesthetic services and water supply.</p>	<p>Chapter 19 Onshore Air Quality (APP-074) considers air quality impacts during construction to sensitive ecological receptors as a result of dust and concludes that impacts on ecological designations are insignificant.</p>
Applicant Assessment	EN-1 5.2.8 – 5.2.11	<p>Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES. The ES should describe:</p> <ul style="list-style-type: none"> <li>▪ existing air quality concentrations and the relative change in air quality from existing levels;</li> <li>▪ any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; and</li> <li>▪ the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts.</li> </ul> <p>In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.</p> <p>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and The Applicant should ensure these are current at the point of an application. The Applicant's assessment should be consistent with this but may include more detailed modelling to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the ExA along with the source.</p>	<p>The assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074) with further detailed information provided in the following documents:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 19 Appendix 1 Construction Dust Assessment Methodology (APP-176)</li> <li>▪ ES Chapter 19 Appendix 2 Non-Road Mobile Machinery Emissions Assessment (APP-177)</li> <li>▪ ES Chapter 19 Appendix 3 Offshore Activities Assessment (APP-178)</li> <li>▪ ES Chapter 19 Appendix 4 Road Traffic Dispersion Modelling (APP-179)</li> </ul> <p>Section 19.4 of the ES Chapter describes the baseline environment including the existing conditions and the future baseline used in the assessment of impacts. Section 19.8 provides an assessment of any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project.</p> <p>The Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance are considered in Section 19.4 to 19.9 of the Onshore Air Quality Chapter (APP-074).</p> <p>During the construction phase, the assessment focussed on potential impacts from dust, Non-Road Mobile Machinery (NRMM), and offshore vessel emissions. Results indicate negligible to minor adverse effects, all considered to be non-significant in accordance with the EIA regulations. Specific mitigation measures were outlined for dust and NRMM, contributing to the overall not significant conclusion. Temporary increases in traffic, a consequence of construction activities, were also evaluated, with the study determining these effects on human and ecological receptors to be temporary and non-significant. Traffic associated with both future planned developments and live projects and plans were considered in the assessment, which resulted in cumulative impacts being assessed.</p> <p>In relation to the operations and maintenance phase, a screening of road traffic impacts concluded that anticipated changes to the volume of traffic is below the relevant screening criteria, rendering further assessment unnecessary, as acknowledged through the received Scoping opinion. This phase was thus considered to have negligible and non-significant effects on onshore air quality.</p> <p>For decommissioning activities, these are not anticipated to exceed the MDS criteria established for the construction phase. Given that the effects associated with the construction phase are considered not significant, no additional assessment of the decommissioning phase is necessary, however a decommissioning plan will be developed in due course.</p>

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			<p>There are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</p> <p>Consideration to the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance is given within the ES Chapter.</p>
	EN-1 5.2.12	Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets or affect the ability of a noncompliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/ strategy at the time of the decision, The Applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	<p>Chapter 19 Onshore Air Quality (APP-074) assesses the risk and significance of potentially significant emissions to air, with and without appropriate mitigation and outlines that relevant air quality limits/regulations will not be breached as a result of the Project.</p> <p>As such it is considered that the ES for the Project is in accordance with paragraph 5.2.7 of EN-1.</p>
	EN-1 5.2.13	The SoS should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England or the Clean Air Plan in Wales or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance.	<p>This assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074). This is as consequence of the embedded mitigation measures set out in the chapter ,namely:</p> <ul style="list-style-type: none"> <li>▪ The OAQMP (APP-270) which includes measures relating to dust control and NRMM emissions. The construction dust assessment methodology identifies mitigation measures recommended for inclusion; and</li> <li>▪ The OCoCP (APP-268). In addition, the Outline Soil Management Plan (APP-271), which forms part of the OCoCP, and sets out the principles and procedures for general good practice mitigation for soil management.</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO and include several measures that will control air quality. This includes ensuring all construction work is undertaken in accordance with best practice measures.</p> <p>The assessment in Chapter 19 Onshore Air Quality (APP-074) has been undertaken with reference to the Air Quality Strategy in England and Defra’s LAQM guidance.TG22 (Defra, 2022) and PM2.5 targets guidance.</p>
	EN-1 5.2.14	The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	<p>The mitigation measures outlined within Section 5.14 have been included within Chapter 19 Onshore Air Quality (APP-074), ES Chapter 27: Traffic and Transport (APP-082), and the review of Section 5.14 in this policy accordance table for further information.</p> <p>ES Chapter 27 sets out a number of mitigation measures that will be beneficial in reducing air emissions from transport. These measures include :</p> <ul style="list-style-type: none"> <li>▪ An Outline CTMP that sets out the key principles and types of measures to be implemented during construction</li> <li>▪ An Outline TP which includes a range of demand management measures including a target car share ratio; and</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO.</p>
Secretary of State decision making	EN-1 5.2.15 – 5.2.16	Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government’s Environmental Improvement Plan 2023.	<p>With regard to pollution control, please see responses to NPS EN-1- 4.12</p> <p>Chapter 19 Onshore Air Quality (APP-074) outlines that with the implementation of proposed mitigation, which include the OAQMP (APP-270) and the OCoCP (APP-268), the Project will not result in the breach of any national or statutory air quality limits or objectives. The assessment set out in Chapter 19 concludes that there will be no substantial changes in air quality levels</p>

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		The SoS should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives, or targets.	To limit harm to sensitive receptors, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects. It should be noted that all sensitive receptors have been considered and no significant impacts have been identified.
	EN-1 5.2.17 – 5.2.18	The SoS should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the SoS should refuse consent.	
	EN-1 5.2.19	In all cases, the SoS must take account of any relevant statutory air quality limits objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the SoS should refuse consent.	
<b>EN-1 Part 5.3 – Greenhouse Gas Emissions</b>			
Greenhouse Gas Emissions	EN-1 5.3.1 – 5.3.3	Significant levels of energy infrastructure development are vital to ensure the decarbonisation of the UK economy. The construction, operation and decommissioning of that energy infrastructure will in itself, lead to GHG emissions.  In considering this section, applicants should also have regard to Part 2 of this NPS, which explains the current policy on climate change and how this NPS interacts with that policy, and Section 4.10 of this NPS, which deals with climate change adaptation.  As discussed in Part 2, energy infrastructure plays a vital role in decarbonisation. While all steps should be taken to reduce and mitigate climate change impacts, it is accepted that there will be residual emissions from energy infrastructure, particularly during the economy wide transition to net zero, and potentially beyond.	The Project would provide up to 100 wind turbines, supporting the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy and therefore will play a vital role in national decarbonisation.  Climate change policy and projections have been considered across each ES chapter and a GHG assessment was undertaken as part of the Chapter 31 Climate Change (APP-086) . ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed. Most importantly, the assessment demonstrated that there will be no significant impacts across all the stages of the Project.
Applicant Assessment	EN-1 5.3.4	All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.2). This should include: <ul style="list-style-type: none"> <li>▪ A whole life GHG assessment showing construction, operational and decommissioning GHG impacts including impacts from change of land use;</li> <li>▪ An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages;</li> <li>▪ Measurement of embodied GHG impact from the construction stage;</li> <li>▪ How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures;</li> <li>▪ How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology.;</li> <li>▪ Calculation of operational energy consumption and associated carbon emissions.;</li> </ul> Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate	A GHG assessment was undertaken as part of the assessment outlined in Chapter 31 Climate Change (APP-086) and addresses all the provisions set out in EN-1 Paragraph 5.3.4.  The climate change assessment for the Project involved a thorough analysis of its environmental impact throughout the entire life cycle. This included evaluating the carbon footprint associated with everything from manufacturing the raw materials for construction to the eventual recycling or disposal at the end of its 35-year lifespan, alongside the benefit produced from the renewable electricity generated.  The estimated greenhouse gas emissions for the operation phase are 5.3 million metric tons of CO2 equivalent. This calculation considered a combination of jacket/pile and Gravity-Based Structure (GBS) foundations. The Project aims to generate 7,227GWh (gigawatt-hours) of electricity annually, resulting in a relatively low carbon intensity of about 20.8 grams of CO2 equivalent per kilowatt-hour (kWh).  Comparing this to alternative electricity generation methods like gas Combined Cycle Gas Turbine (CCGT) (with carbon intensity of 371g CO2eq/kWh), the Project is expected to offset its construction-related emission in approximately two years. This highlights the Project’s environmental benefits, showing that it efficiently manages and minimises its carbon impact.

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		change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed	
Mitigation	EN-1 5.3.5 – 3.5.6	A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	<p>A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.</p> <p>The Project also meets the need in the UK for the types of energy infrastructure covered by EN-1 and contributes significantly towards the UK’s current cumulative electricity supply deployment target for 2030, supporting the UK in delivery secure, reliable and affordable energy as part of net zero commitments.</p> <p>The Project would provide up to 100 wind turbines, create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</p>
	EN-1 5.3.7	Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, peatland restoration and through other natural habitats.	<p>Approaches to reduce GHG reduction are set out in both Chapter 19 Onshore Air Quality Onshore Air Quality (APP-074) and Chapter 31 Climate Change Climate Change (APP-086) which sets out the approach to minimise GHG through proposed mitigation.</p> <p>This is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) which outlines potential areas which could serve as a carbon sink.</p>
Secretary of State decision making	EN-1 5.3.8 – 5.3.9	The SoS must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. The SoS should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development.	A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.
	EN-1 5.3.10	The SoS should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.	
	EN-1 5.3.11 – 5.3.12	Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Sections 2.4), Government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate	
			Refer to the Applicant’s response for Paragraph 5.3.4

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		commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.	
<b>EN-1 Part 5.4: Biodiversity and Geological Conservation</b>			
Biodiversity and Geological Conservation	EN-1 5.4.1 – 5.4.3	<p>Biodiversity is the variety of life in all its forms and encompasses all species of plants, animals and fungi, the genetic diversity they contain and the complex ecosystems of which they are a part. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance.</p> <p>In the 25 Year Environment Plan, the government set out its vision for a quarter-of-a-century action to help the natural world regain and retain good health. A commitment to review the plan every 5 years was set into law in the Environment Act 2021. The Environmental Improvement Plan was published in 2023, which reinforces the intent of the 25 Year Environment Plan and sets out a plan to deliver on its framework and vision. The government’s policy for biodiversity in England is set out in the Environmental Improvement Plan 2023, the National Pollinator Strategy and the UK Marine Strategy. The aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge presented by climate change. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides.</p> <p>The wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues are set out in a Government Circular. The NPPF and Natural Environment PPG document sets out good practice in England in relation to planning for biodiversity and geological conservation. In Wales, TAN 5: Nature Conservation and Planning sets out how the land use planning system should contribute to biodiversity and geological conservation</p>	<p>The Project has adopted a positive approach to biodiversity through avoiding the most sensitive ecological areas (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and all relevant policy outlined within Paragraph 5.4.1-5.4.3 has been considered in Chapter 21 Onshore Ecology (APP-076).</p> <p>The Applicant has also committed to several mitigation/compensatory measures that will enhance biodiversity.</p>
Habitats Regulations	EN-1 5.4.4 – 5.4.6	<p>The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas.</p> <p>As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required:</p> <ul style="list-style-type: none"> <li>▪ potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>▪ listed or proposed Ramsar sites; and</li> <li>▪ sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.</li> </ul> <p>The British Energy Security Strategy committed to establishing Strategic Compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information.</p>	<p>As demonstrated throughout the ES Non-Technical Summary (APP-055) and RIAA (APP-235), the Applicant has shown how any likely significant negative effects to sites identified through international conventions would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy.</p> <p>Designated sites and features have been screened, in consultation with Natural England, and considered within the RIAA (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case (APP-242) for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the [RIAA]. As set out in Section 1.2 of the derogation case and as set out in [table 13.1 of the RIAA], the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Sites of Special Scientific Interest (SSSIs)	EN-1 5.4.7 – 5.4.8	<p>Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs.</p> <p>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.</p>	<p>The Project site selection process has avoided direct interaction with all relevant SSSIs (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes 15 SSSIs (excluding geological designations). The onshore Order Limits have been designed to avoid designated sites where practicable. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on SSSIs.</p>
Marine Conservation Zones (MCZ)	EN-1 5.4.9	<p>MCZs (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act, 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries.</p>	<p>A Marine Conservation Zone Assessment (APP-157) has been undertaken by the Applicant and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Marine Protected Areas (MPA)	EN-1 5.4.10 – 5.4.11	<p>MPA is a term used to describe the network of habitat sites, SSSIs, MCZs, and Highly Protected Marine Areas (HPMAs) in the English and Welsh marine environment.</p> <p>It is important that relevant guidance on managing environmental impacts of infrastructure in marine protected areas is followed, and that equal consideration of the effect of proposals should be given to all MPAs regardless of the legislation they were designated under. This is because all sites contribute to the network of MPAs and therefore to overall network integrity. In England, government have established a MPA condition target under the Environment Act.</p>	<p>Impacts on MPA have been considered within the following chapters of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7 Marine Physical Processes (APP-062)</li> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064)</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ Chapter 11 Marine Mammals (APP-066)</li> <li>▪ 7.1 Report to Inform Appropriate Assessment (RIAA) (APP-235)</li> <li>▪ 7.2 Habitats Regulations Assessment Screening Report (APP-239)</li> <li>▪ 7.3 Report to Inform Appropriate Assessment Appendix 1: Screening Matrices (APP-240)</li> </ul> <p>See comments against EN-1 paragraph 4.2.13.</p>
Regional and Local Sites	EN-1 5.4.12 – 5.4.13	<p>Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution.</p> <p>National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.</p>	<p>The Project mapped and considered all sites of local biodiversity and geological interest as part of their constraints mapping exercises outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), ES Chapter 21 (APP-076) and Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The assessment has considered indirect impacts on locally and regionally important sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.</p> <p>The OLEMS (APP-284) sets out a number of high quality design measures that will, in addition to providing mitigation, also deliver biodiversity enhancements. Responses to Section 4.6.15 – 4.6.18 of EN-1 outlines further detail on the Applicant's compliance regarding enhancement.</p>

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Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats	EN-1 5.4.14 – 5.4.15	<p>Irreplaceable habitats are habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity.</p> <p>Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the Government's policy for ancient and native trees and woodlands in England sets out the Government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active management. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh, scrub, and lowland fen.</p>	<p>Several methods within the Project have been adopted to avoid the loss of irreplaceable habitats. This includes the first phase approach of avoidance through siting of the Project infrastructure outside of these habitats and, as stated in Table 1.15 of Chapter 21 Onshore Ecology (APP-076), the adoption of trenchless techniques to avoid permanent loss of habitats, including irreplaceable and Priority habitats that could not be avoided by the siting of the Project. With mitigation in place the project will result in no significant effects relating to Priority Habitats (that include irreplaceable habitats) as concluded in APP-076.</p> <p>Ancient woodlands have been scoped out of the assessment as there are no designations of this type within the Order Limits or within the study area as set out in ES Chapter 21 Onshore Ecology (reference), which is set as 2km from the Order Limits. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No ancient or veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible (for example features (e.g. trees) bordering a compound that can be retained). Although not progressed within the impact assessment, precautionary mitigation measures for all mature trees, including any with potential veteran tree features are proposed including avoidance measures and pre-construction surveys for any trees that must be removed (OLEMS, APP-284). Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.</p>
Protection and enhancement of habitats and species	EN-1 5.4.16	<p>Many individual species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action.</p>	<p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p>
Applicant Assessment	EN-1 5.4.17 – 5.4.18	<p>Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</p>	<p>The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Effects on these internationally, nationally, and locally designated sites of ecological or geological conservation importance have been assessed (where relevant), with reference to protected species identified as being important for the conservation of biodiversity both onshore and offshore. Chapters of relevance are presented in Volume 1 of the ES (DCO Application Part 6.1):</p>

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		<p>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the SoS consider thoroughly the potential effects of a proposed project.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067))</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>Other application documents of relevance outside of the ES include the:</p> <ul style="list-style-type: none"> <li>▪ Report to Inform Appropriate Assessment (APP-235)</li> <li>▪ Biodiversity Net Gain Report Principles and Approach (APP-302).</li> <li>▪ Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</li> </ul> <p>The outline Code of Construction Practice (APP-268) includes a number of measures to minimise the impact to ecology during construction.</p> <p>As noted in ES Chapter 5: EIA Methodology (APP-060), A Proportionate Approach has been adopted for the Project.</p>
	<p>EN-1 5.4.19 – 5.4.21</p>	<p>The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond BNG, which result in wider environmental gains (see Section 4.6 on Environmental and BNG). The scope of potential gains will be dependent on the type, scale, and location of each project.</p>	<p>Areas of biodiversity and geological interest have been avoided in the siting and design of the Project.. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and those specific to biological conservation interests are detailed within ES Chapter 21 Onshore Ecology (APP-076) while the effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance and siting / project refinements undertaken are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Proposals to provide enhancement have been discussed with the Environment Agency, NE and Local Wildlife Organisations via the Project’s Evidence Plan process (EPP) and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within the OLEMS (APP-284).</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076) and outline Landscape and Ecological Management Strategy (OLEMS) (APP-284). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p> <p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project and therefore operates as the Biodiversity Management Strategy referenced by draft NPS EN-1 Paragraph 5.4.36.</p> <p>The Applicant’s approach to BNG and compliance with relevant Policy is set out in the response to Section 4.6 of EN-1.</p>
	<p>EN-1 5.4.22</p>	<p>The design of Energy NSIP proposals will need to consider the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere</p>	<p>The following chapters have all considered the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> </ul>

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		<p>within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.</p>	<ul style="list-style-type: none"> <li>■ Chapter 12 Offshore and Intertidal Ornithology (APP-067);</li> <li>■ Chapter 10 Fish and Shellfish Ecology (APP-065),</li> <li>■ Chapter 11 Marine Mammals (APP-066) and</li> <li>■ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>A screening of potential transboundary effects was undertaken at the Scoping stage of the project which identified that there was no potential for significant transboundary effects to occur in relation to benthic and intertidal ecology, marine mammals and fish and shellfish ecology. While as outlined in relation to offshore and intertidal ornithology there is the potential for collisions and displacement at OWFs outside of the UK territorial waters the spatial scale and therefore seabird reference populations would be much larger and any conclusions drawn from existing cumulative impact assessments are unlikely to change.</p>
Applicant assessment- Habitats Regulation	EN-1 5.4.25	<p>The Applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to agree and record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.</p>	<p>The SoS will undertake a Habitats Regulation Assessment (HRA) in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017. As part of the HRA process, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent APP-057) with the relevant information to facilitate this HRA.</p> <p>The Applicant has liaised with Natural England and JNCC (the appropriate SNCBs) throughout the pre-application and HRA process through both statutory consultation and participation in the Evidence Plan Process (EPP). The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>In addition, comments relevant to the wider ES have been incorporated into the relevant documents on which the RIAA draws and have been taken into account indirectly during the preparation of the RIAA where relevant (this includes any comments received in the Scoping Opinion that are of relevance to designated sites and therefore the RIAA)</p> <p>Feedback on a draft version of the RIAA (Outer Dowsing Offshore Wind, 2023) was received from Natural England on 20 July 2023. Section 4 of the RIAA sets out the Applicant's response to feedback and how this has been incorporated within the submission.</p>
	EN-1 5.4.26 – 5.4.28	<p>If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.</p> <p>If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before</p>	<p>As part of the HRA process, a screening exercise has been undertaken, in consultation with the SNCB, followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>Please see the Applicant's response to paragraph 4.2.9 above.</p>

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		<p>the close of the examination. This information must include assessment of alternative solutions, a case for IROPI and appropriate environmental compensation.</p> <p>Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow The Applicant the opportunity to provide such information following the examination.</p>	
	<p>EN-1 5.4.29 – 5.4.30</p>	<p>It is vital that applicants consider the need for compensation as early as possible in the design process as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process.</p> <p>Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.</p>	<p>As noted in the response to paragraph 4.2.9, the Applicant has provided a compensation plan in respect of kittiwake, in the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the other relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>Provisions to secure the delivery of compensation (to the extent that the Secretary of State decides that this is necessary) are set out in the draft DCO (APP-303). The compensation options and plans have been the subject of extensive consultation with relevant stakeholders, as detailed therein, both through statutory consultation carried out under section 42 of the 2008 Act and participation in the EPP and ETGs. Additionally the Applicant has participated in the Collaboration in Offshore Wind Strategic Compensation (COWSC) led by the Offshore Wind Industry Council (OWIC) and the Crown Estate Kittiwake Strategic Compensation Plan (APP-260).</p> <p>The Applicant has the ability through the DCO to deliver strategic compensation through the Marine Recovery Fund.</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243)</li> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Sandbank Compensation Implementation and Monitoring Plan (APP-245)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Biogenic Reef Compensation Implementation and Monitoring Plan (APP-247)</li> <li>▪ Without Prejudice Benthic Compensation Evidence Base and Road Map (APP-248)</li> <li>▪ Ornithology Compensation Strategy (APP-249)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Outline Kittiwake Compensation Implementation and Monitoring Plan (APP-251)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Outline Guillemot Compensation Implementation and Monitoring Plan (APP-253)</li> <li>▪ Outline Razorbill Compensation Implementation and Monitoring Plan (APP-254)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> <li>▪ TCE Strategic Kittiwake Compensation Plan (APP-260); and</li> <li>▪ Compensation Funding Statement (APP-264)</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>

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	EN-1 5.4.31	Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	<p>In addition to the kittiwake compensatory measures identified above the Applicant recognised the potential need to develop without prejudice compensatory measures for impacts arising from the Project from an early stage of the development. Consequently, at the outset of the Evidence Plan Process (EPP), an Expert Technical Group (ETG) was developed to cover derogation and compensation early on in the development process. After the initial meetings, this group was split into the two relevant technical workstreams (one for benthic ecology and the other for offshore ornithology).</p> <p>Consultee comments can be found in the following compensation plans listed in the response above (APP-243 – APP-264) and in the Consultation Report (APP-032).</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> </ul>
Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN – 1 5.4.32	Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase.	<p>Mitigation measures for ecological receptors including ancient woodland, ancient and veteran trees or other irreplaceable habitats are included in Table 3-4 of the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).</p> <p>For further details see the Applicant’s response to NPS EN-1 5.4.14 – 5.4.15</p>
Protection and enhancement of habitats and other species	EN-1 5.4.33 – 5.4.34	Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	<p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project.</p> <p>Compensation for loss of hedgerows and trees will be provided by re-instating native, species-rich hedgerows with heavy standard trees. Hedges will be reinstated at their original location (or as close as possible), new hedgerows will be located to re-establish links and maintain the network. New hedgerows will comprise a locally appropriate mixture of at least seven woody species and include heavy standard trees at a 3:1 ratio for any lost. Species selection will reflect established hedgerow species found within the local area and will be designed as mixed hedgerows to encourage biodiversity. Older hedgerow saplings will be used to re-establish hedgerows more quickly, as well as gap-fill existing hedges. All saplings will be planted with appropriate protection from pests.</p> <p>The Project has made a commitment to reinstate habitats as soon as practicable following construction.</p> <p>Compensation bat roost features will be provided for every potential roost feature (as identified by the pre-commencement/ pre-construction surveys) affected prior to loss. This compensation measure applies regardless of whether a confirmed roost is affected. The compensation roost features will aim to provide a functionally equivalent potential roost resource and may include re-use of cavity containing sections, re-use of whole felled trunks by setting vertically as monoliths, veteranisation (cutting and carving into healthy trees to mimic nature, to speed the process of decay and rot holes) and/or bat boxes on retained trees or installed poles, as appropriate.</p>

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			<p>Proposals to provide enhancement have been discussed with the Environment Agency, Natural England and Local Wildlife Organisations via the EPP meetings and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within OLEMS (APP-284).</p> <p>Opportunities for the creation and enhancement of arable field margins will be developed in the detailed design, with any specifications set out in the Ecological Management Plan (EMP).</p> <p>Opportunities for enhancement and creation of terrestrial habitats exist at both the OnSS and the surrounding proposed landscape screening around the OnSS. Subject to detailed design and agreement from landowners, this could include the management of habitat specifically for amphibians, along with the creation of refugia, wider and more species rich field margins, and an increase in the network of wildlife corridors for amphibian movement. Any enhancement measures would be included as part of the detailed project design and secured within the EMP. Enhancement may also include the installation of a range of bird boxes and the creation of earth banks for invertebrates, refugia for reptiles, amphibians and small mammals</p> <p>Greater Frampton Vision is a Landscape Recovery project on the edge of the Wash in Lincolnshire, England. Some of the land within the Greater Frampton Vision is within the ECC and would be impacted by works. Where habitats are lost to site clearance, a basic program of like-for-like reinstatement would be applied. However, this would be on the understanding that mitigation may be realigned to accommodate RSPB's plans for the area or where those habitats have functionality for protected species, the habitat would be reinstated and improved. An example of this is the reinstatement of hedgerow habitats in this area, where RSPB's conservation strategy is to remove hedgerows in their vision area. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). The Applicant is intent on leaving the environment in a measurably better state than before and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p> <p>In accordance with the mitigation hierarchy BNG should ideally be delivered on-site, near to where negative impacts occur, wherever possible. However, land ownership constraints may limit the scope to provide sufficient enhancement for measurable net gains within the Order Limits.</p>
Mitigation	EN-1 5.4.35	<p>Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the Applicant should demonstrate that:</p> <ul style="list-style-type: none"> <li>▪ during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</li> <li>▪ the timing of construction has been planned to avoid or limit disturbance;</li> <li>▪ during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;</li> <li>▪ habitats will, where practicable, be restored after construction works have finished;</li> <li>▪ opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site</li> </ul>	<p>In addition to the consideration of restoration, creation, and enhancement of biodiversity outlined in the response above, mitigation measures are proposed within Sections 21.7 and 21.9 of the ES Chapter 21 Onshore Ecology (APP-076) and throughout the OLEMS (APP-284) for avoidance and mitigation measures. Examples of the proposed measures include (but are not limited to):</p> <ul style="list-style-type: none"> <li>▪ Careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</li> <li>▪ Where the Order Limits crosses Local Wildlife Sites and LWT reserves (such as Anderby Creek Sand Dunes LWS), trenchless techniques will be used.</li> <li>▪ An Ecological Clerk of Works (ECOWs) will be employed to oversee construction work and minimise risks to Important Ecological Features (IEFs), as described in the OLEMS</li> </ul>

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		<p>landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised mitigations required as a result of legal protection of habitats or species will be complied with.</p>	<ul style="list-style-type: none"> <li>■ Checks for the presence of badger setts, reptiles, amphibians, hedgehogs and other protected or notable species will be carried out by the ECoW prior to vegetation clearance.</li> <li>■ In response to comments from NE the Project has committed to the retention and protection of bat flight lines during construction using protective fencing (such as Heras) to protect retained hedgerows and trees (including their root structure) from damage during construction. These will further be retained and protected through sensitive lighting design, which will be outlined in the Artificial Light Emissions Management Plan forming part of the final (CoCP).</li> <li>■ The CoCP and associated management plans include measures to reduce construction noise, dust, lighting and other emissions as well as pollution prevention measures and measures to protect and restore soils</li> <li>■ All construction work will be undertaken in accordance with the biosecurity measures outlined in section 3.4 of the OLEMS (APP-284).</li> <li>■ Removal of vegetation will take place outside of the breeding season (considered to be March – August inclusive) wherever possible.</li> <li>■ Seasonal restriction to works within 400m of core areas used by foraging brent geese at the Haven</li> <li>■ Localised working for winter works</li> </ul> <p>In addition to onshore measures, offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul> <p>During the operation and maintenance phase mitigation measures will include a Scour Protection Management Plan (SPMP), while a Decommissioning Programme will be developed for the decommissioning phase. Further details can be found in the Outline Scour Protection and Cable Protection Management Plan (APP-295).</p>
	<p>EN-1 5.4.36 and 5.4.38</p>	<p>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.</p> <p>To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.</p>	<p>The OLEMS (APP-284) acts at the Project’s approach to biodiversity management and is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302).</p> <p>The Outline Landscape and Ecological Management Strategy (OLEMS) (document APP-284) sets out the key landscape and ecology principles to inform the future Landscape Management Plan (LMP) and EMP, which are secured for submission post-consent by a requirement of the draft Development Consent Order (DCO) (APP-303) post consent. The OLEMS presents embedded mitigation with regard to habitat reinstatement, enhancement and creation. The future LMP and EMP would be based on the OLEMS principles and would set out the measures that the Applicant and their contractors would be required to adopt. The future LMP and EMP will be prepared in consultation with the Local Planning Authority (LPA). The OLEMS, therefore, operates as the Biodiversity Management Strategy referenced by NPS EN-1.</p> <p>The effects on geodiversity are considered within Chapter 23 Geology and Ground Conditions Geology and Ground Conditions (APP-078).</p> <p>Overall, through the implementation of mitigation measures, including those specified in the OCoCP (APP-268), it is considered that the likely overall effect of the Project on geodiversity and land use throughout the construction, operation and decommissioning of the Project is not significant in EIA terms.</p>

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Secretary of State decision making	EN-1 5.4.39 and 5.4.41	<p>The Government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The SoS should have regard to the aims and goals of the Government's Environmental Improvement Plan 2023 and in Wales the objectives of the Nature Recovery Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.</p> <p>The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The SoS may take account of any such net benefit in cases where it can be demonstrated.</p>	<p>With regard to biodiversity, the Applicant has committed to several mitigation/compensatory measures to enhance biodiversity. This includes the OLEMS (APP-284) that sets out a number of high quality design measures that will also deliver biodiversity enhancements. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) that outlines the commitment of the Project to adopting BNG. Outer Dowsing Offshore Wind is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities for BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 5.4.42 – 5.4.43	<p>As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.</p> <p>If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the SoS will give significant weight to any residual harm.</p>	<p>Areas of biodiversity and geological interest have been avoided as far as possible in the design of the Project through sensitive routing of the onshore and offshore Export Cable Corridor (ECC), siting of the OnSS and array areas and the location of the landfall zone. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The Applicant has undertaken careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</p> <p>Where features cannot be avoided, the Applicant has proposed suitable mitigation measures, as summarised in the response to NPS EN-1- 5.4.35 above, and where required compensation measures are proposed (as summarised in the response to NPS EN-1 5.4.33-5.4.3). Further details of onshore mitigation and compensation is provided in ES Chapter 21 Onshore Ecology (APP-076) and OLEMS (APP-284). Offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul>
	EN-1 5.4.44	<p>The SoS should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or BNG should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.</p>	<p>The draft DCO (APP-303), includes a requirement (DCO R12) for an ecological management plan (based on the outline landscape and ecological management strategy and reflecting survey results, and the ecological mitigation measures in the Environmental Statement) to be approved by the relevant planning authority in consultation with the relevant SNCB before works can commence for a particular stage of the onshore works. This requirement secures delivery of the principles set out in the OLEMS (APP-284), ES Chapter 21 Onshore Ecology (APP-076) And ES Chapter 22 Onshore Ornithology (APP-077). Confirmation of any maintenance and restoration details (such as timescales), will need to be approved within the final EMP.</p> <p>The draft DCO also includes a requirement (DCO R18) securing submission of a code of construction practice which accords with the Outline Code of Construction Practice (APP-268), and which sets out a number of environmental management plans that must be included in the code of construction practice, all for approval by the local planning authority in consultation with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO prior to commencement of works for a particular stage of the onshore works.</p>

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			Offshore mitigation is secured through the deemed marine licences (dMLs)), with approval required by the MMO prior to commencement.
	EN-1 5.4.45 – 5.4.47	<p>The SoS will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The SoS will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.</p> <p>Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The SoS should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p> <p>When considering proposals, the SoS should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering BNG as part of or in addition to the approach set out at Section 4.6.</p>	<p>Details of other licences can be found within the Other Consents and Licences document (APP-305). When the detailed design of the onshore works is being finalised, discussions of the final project details will be undertaken with Natural England. If necessary, clarification will be sought on the requirement for an EPS Licence and, if required, an application for a licence will be made.</p> <p>It is anticipated that an EPS Licence may be required for disturbance caused by piling activities. When the detailed design of the Project is being finalised, discussions of the final project details will be undertaken with the MMO. If necessary, clarification will be sought on the requirement for an EPS Licence and, if Required, an application for a licence will be made.</p> <p>The DCO contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (licence 1) and one for the offshore transmission assets (licence 2). The DCO also contains four deemed marine licences for the potential artificial nesting structures and one for benthic compensation measures if deemed necessary</p> <p>The Applicant has consulted extensively with the Natural England and MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard for these are outlined in Appendix 5.1.4 of the Consultation Report (Consultation Report Appendix 4B Section 42 Responses (APP-038). The outcomes of the ETGs and EPP process has been recorded in EPP agreement logs submitted as part of Chapter 6 Technical Consultation (APP-061)</p>
	EN-1 5.4.48	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment	<p>The Applicant has assessed the likely significant effects of the Project on the conservation objectives through an ecological evaluation and impact assessment approach based on CIEEM Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland (CIEEM guidelines) (CIEEM, 2022), which are widely regarded as industry best practice.</p> <p>The relevant documents listed below conclude that with the implementation of appropriate mitigation measures (and other than the features identified as requiring an appropriate assessment under the RIAA - see response to NPS EN-1 5.4.26 – 5.4.28 for details ), no significant effects are predicted on internationally, nationally and locally designated sites of ecological conservation importance, protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 21: Onshore Ecology (APP-076);</li> <li>▪ Chapter 22: Onshore Ornithology (APP-077); and</li> <li>▪ Report to Inform Appropriate Assessment (APP-235);</li> </ul>
Secretary of State decision	EN-1 5.4.49	The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (an habitat Site), a	As outlined in the Applicant’s response to paragraph 5.4.25, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent 6.1.2) in order to inform the SoS when

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making -Habitat Regulations		protected marine site or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects.	<p>undertaking the HRA in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>Please see the Applicant's response to paragraph 4.2.9</p>
Secretary of State decision making- Sites of Special Scientific Interest (SSSI)	EN-1 5.4.50	The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	The Applicant has submitted a draft DCO (APP-303) which contains requirements considered necessary to secure the mitigation required to ensure the conservation and enhancement of any affected site's biodiversity.
Secretary of State decision making- Marine Conservation Zones	EN-1 5.4.51	The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	<p>In order to assist the SoS with their duty the Applicant has carried out a Marine Conservation Zone Assessment (APP-157) and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Secretary of State decision making- Regional and Local Sites	EN-1 5.4.52	The Secretary of State should give due consideration to such regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.	ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The onshore Order Limits have been designed to avoid designated sites. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.
Secretary of State decision making- Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN-1 5.4.53	The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.	<p>There are no ancient woodlands within the Order Limits, or within 2km of the Order Limits. There will therefore be no loss or deterioration of ancient woodlands as a result of the Project. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not.</p>

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			Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.
Secretary of State decision making- Protection and enhancement of habitats and other species	EN-1 5.4.54 – 5.4.55	<p>The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.</p> <p>The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.</p>	<p>As outlined within the ecology related chapters of the ES, all species and habitats that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p> <p>Where an adverse effect on a European Site has not been ruled out (Flamborough and Filey Coast SPA in relation to the kittiwake feature), a derogation case has been provided (APP-242), demonstrating IROPI.</p>
<b>EN-1 Part 5.5: Civil and Military Aviation and Defence Interests</b>			
Civil and Military Aviation and Defence Interests	EN-1 5.5.1 – 5.5.4	<p>All aerodromes, covering civil and military activities, as well as aviation technical sites, meteorological radars and other types of defence interests (both onshore and offshore) can be affected by new energy development.</p> <p>Collaboration and co-existence between aviation, defence and energy industry stakeholders should be strived for to ensure scenarios such that neither is unduly compromised.</p> <p>Alongside defence and other infrastructure, energy infrastructure, such as wind turbines, are an established part of the current and expected built energy environment. However, issues such as the cumulative impact, location and increasing geographical spread and height of windfarms, can all potentially have a bearing on aviation safety, defence capabilities and weather warnings and forecasts.</p> <p>Windfarms are an integral part of our plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p>	<p>To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation, defence and energy industry stakeholders including Ministry of Defence (MOD) and NATS.</p> <p>Consultation been conducted through the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process, informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-052).</p> <p>The Applicant has assessed the Project cumulatively with other projects.</p>
Aviation	EN-1 5.5.5- 5.5.7	UK airspace is important for both civilian and military aviation interests. It is essential that new energy infrastructure is developed collaboratively alongside aerodromes, aircraft, air systems and airspace so that safety, operations and capabilities are not	The Project has been developed collaboratively alongside aerodromes, aircraft, air systems and airspace stakeholders (see Chapter 16 Aviation, Radar, Military and Communication (APP-071).

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		<p>adversely affected by new energy infrastructure. Likewise, it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.</p> <p>Commercial civil aviation is largely confined to designated corridors of controlled airspace and set approaches to airports. However, other aircraft often fly outside of 'controlled air space'.</p> <p>The approaches and flight patterns to aerodromes can be irregular owing to a variety of factors including the performance characteristics of the aircraft concerned and the prevailing meteorological conditions. It may be possible to adapt flight patterns to work alongside new energy infrastructure without impacting on aviation safety.</p>	<p>Consultation was conducted through the EIA scoping process and the statutory pre-application consultation process, informed by the PEIR. An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>The airspace above and adjacent to the array is used for both civil and military aircraft and lies within the London Flight Information Region for Air Traffic Control.</p> <p>During the construction phase, the creation of an aviation obstacle environment and increased air traffic related to wind farm construction are both considered not to be significant. During the operation and maintenance phase the creation of an aviation obstacle environment and increased air traffic related to windfarm activities are deemed not significant. A major significant impact is identified concerning specific Primary Surveillance Radar (PSR) systems when there is no mitigation considered. However, mitigation solutions for the impact in specific PSR systems will be agreed with National Air Traffic Services (NATS) and the Ministry of Defence (MOD), and will reduce the impact to not significant.</p> <p>Throughout the decommissioning phase, the removal of the aviation obstacle environment is expected to result in no change, and increased air traffic related to decommissioning activities is considered not significant. The following mitigation measure is proposed, Aviation stakeholders will be made aware of the Project decommissioning via Notices to Airmen (NOTAMs) and obstacle details will be passed to the CAA at least eight weeks before decommissioning commences. No additional mitigation measures are identified, leading to an overall assessment of not significant impact during decommissioning.</p> <p>In summary, the assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p>
Safeguarding	EN-1 5.5.8 – 5.5.20	<p>Certain civil aerodromes, and aviation technical sites, selected on the basis of their importance to the national air transport system, are officially safeguarded in order to ensure that their safety and operation are not compromised by new development. A similar official safeguarding system applies to all military aerodromes, defence surveillance sites, and other defence assets.</p> <p>Areas of airspace around aerodromes used by aircraft, including taking off or on approach and landing are described as "Obstacle Limitation Surfaces" (OLS). All civil aerodromes licensed by the Civil Aviation Authority (CAA) and all military aerodromes must comply with the OLS. These are defined according to criteria set out in relevant CAA guidance for licensed civil aerodromes and according to MOD criteria, as set by the Military Aviation Authority, which is part of the Defence Safety Authority (DSA), for military aerodromes.</p> <p>Aerodromes that are officially safeguarded will have officially produced plans that show the OLS. Care must be taken to ensure that new developments do not infringe these protected OLS except where an aerodrome operator has considered the development and either determined there to be no adverse impact or agreed an acceptable</p>	<p>See responses to Paragraphs 5.5.1 – 5.5.4 and 5.5.5- 5.5.7 which shows the Applicant's approach to consultation which will ensure safeguarded sites will not be impacted as a result of the Project. To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation and defence stakeholders including Ministry of Defence (MOD) and the Civil Aviation Authority (CAA). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>There are a number of small airfields/air strips within relatively close proximity to the onshore ECC. However, none of the onshore activities proposed would result in any of the potential risks to aviation as presented in EN-1.</p> <p>See Table 16.1 in Chapter 16.</p>

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		<p>mitigation can be put in place, as these encompass the critical airspace within which key air traffic associated with the aerodrome operates.</p> <p>The CAA’s CAP sets out that all licensed aerodromes are required to ensure they have a system in place to safeguard their aerodrome against the growth of obstacles or activities that may present a hazard to aircraft operations.</p> <p>The certified Safeguarding maps for all aerodromes (both licensed and unlicensed) depicting the OLS and other criteria (for example to minimise “birdstrike” hazards) are deposited with the relevant LPAs.</p> <p>The CAA makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator.</p> <p>There are also “Public Safety Zones” (PSZs) at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Maps showing the PSZs are deposited with the relevant LPAs. DfT Circular 01/2010 provides advice to local planning authorities on Public Safety Zones.</p> <p>The military Low Flying system covers the whole of the UK and enables low flying activities as low as 75m (mean separation distance). A considerable amount of military flying for training purposes is conducted at as low as 30m in designated Tactical Training Areas (TTAs) in mid Wales, Cumbria, the Scottish Border region and in the Electronic Warfare Range in the Scottish Border area. In addition, military helicopters may operate down to ground level.</p> <p>New energy infrastructure may cause obstructions in MOD low flying areas. A balance must be struck between defence and energy needs in these areas.</p> <p>Sufficient air training space and space for civil operations will be required and operation around structures such as wind turbines will become increasingly important as the number of these structures increase.</p>	
Communications, navigation and surveillance (CNS) infrastructure	EN-1 5.5.21 – 5.5.28	<p>Safe and efficient operations within UK airspace and defence operations are dependent upon Communications, Navigation and Surveillance (CNS) infrastructure, including radar (often referred to as ‘technical sites’).</p> <p>Energy infrastructure development may interfere with the operation of CNS systems such as radar. This is a particular problem for wind turbines as they can act as a reflector or diffractor of radio signals upon which Air Traffic Control Services and Air Defence Operations rely (an effect which is particularly likely to arise when large structures, such as wind turbines, are near Communications and Navigation Aids and technical sites).</p> <p>Wind turbines may also cause false returns and other technical issues when built in line of sight to radar installations.</p> <p>Windfarms are an integral part of the plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an official ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p> <p>Whilst it is hoped that future surveillance technologies will enable civil and military aviation, defence and meteorological surveillance providers and windfarms to meet coexistence challenges, it should not be assumed, however, that there will be sufficient advancement in surveillance technologies to meet all future requirements. A “system of systems” approach may help address the impacts on air surveillance and routine air</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Chapter 16 Aviation, Radar, Military and Communication (APP-071) confirms that the Project will result in no measurable effects upon other terrestrial based aviation CNS systems as the Project is considerably outside applicable safeguarding limits pertaining to such CNS infrastructure. NATS apply a 10km safeguarded zone around route navigation aids, and the Array area is 54km from the nearest coastline. Therefore, terrestrial CNS infrastructure (other than PSR) is not considered in detail within Chapter 16, as no sites will be affected.</p> <p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly accelerate the decarbonisation of the power sector by 2030. Substantial weight should therefore be ascribed to the balance of considerations and the presumption in favor of such developments should apply.</p>

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		<p>traffic control operations for those windfarms that exist when radar or other surveillance systems are procured, however this can add complexity to aviation safety assurance and operating practices.</p> <p>Surveillance methods that rely on cooperation alone, such as Automatic Dependent Surveillance – Broadcast (ADS-B) or Secondary Surveillance Radar transponders, are not sufficient to meet the UK’s security and national defence requirements nor would they assure the flight safety of air traffic from non-cooperative threats.</p> <p>MOD recognises that the environmental Baseline includes existing windfarms and any mitigation solutions that have been established to support them when procuring future radar systems.</p> <p>As existing CNS infrastructure reaches the end of its operational life, replacement options that are more tolerant of wind turbines, if available, should be installed by CNS owners/operators to futureproof, so far as is practicable, aerodromes against possible future turbine installations in order to maintain or enhance aviation safety. This should be considered on a case-by-case basis, so that the correct solution(s) are identified which strike the balance between surveillance quality/needs and reasonableness of costs being achieved, whilst maintaining safety.</p> <p>Applicants should provide relevant information on proposed developments to enable CNS owners/operators to consider upgrades appropriately.</p>	
Weather warnings and forecasts	EN-1 5.5.29 -5.5.32	<p>The UK weather radar network is composed of 15 weather radars that are operated and maintained by the Met Office. Each radar provides data out to 255km that underpin the Public Weather Service and the provision of critical meteorological information to a range of stakeholders including aviation, defence, civil contingencies, and the wider UK population, and in the case of severe weather, through the National Severe Weather Warning Service (NSWWS).</p> <p>Weather radars are currently the only means of detecting the presence and location of precipitation in real time. The main hazard from precipitation is flooding and assessment of the potential flood impacts are carried out in consultation with the UK’s authoritative flood agencies.</p> <p>Some energy structures, such as wind turbines, have the potential to adversely impact weather radar signals, even beyond 100km from the radar. This can lead to downstream impacts in meteorological and hydrological warning systems that use radar data, which in turn decreases the credibility of warning systems. For example, when the size of the affected area exceeds the typical size of storms, warning systems may miss the initial stages of a significant rainfall event, which can cause delays in issuing warnings.</p> <p>The Met Office protects its weather radars by engaging in the formal planning consultation process. Met Office weather radars are officially safeguarded and as per Secretary of State direction will be consulted directly on all relevant applicable planning applications within safeguarded zones by local planning authorities.</p>	The closest Met Office weather radar to the Array area is located at Ingham in Lincolnshire, 106km to the west. At a minimum range of 106km, WTGs within the array area will be significantly beyond the 20km safeguarded zone established around Ingham weather radar, and therefore unlikely to have a significant impact. As such, the potential impacts to this receptor have been scoped out of the assessment.

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Other defence interests	EN-1 5.5.33 – 5.5.36	<p>The MOD operates military training areas, military danger zones (offshore Danger and Exercise areas), military explosives storage areas and TTAs. There are extensive Danger and Exercise Areas across the UKCS for military firing and highly surveyed routes to support government shipping that are essential for national defence. In addition, the MOD retains defence maritime navigational capabilities throughout the UKCS to maintain national defence.</p> <p>Other operational defence assets may be affected by new development, for example non-aviation technical equipment such as: the Seismological Monitoring Station at Eskdalemuir; maritime acoustic facilities; communications installations including satellite ground stations; and range control radars.</p> <p>It is important that new energy infrastructure does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p> <p>The Joint industry and government Air Defence and Offshore Wind Mitigation Task Force was set up to enable the co-existence of UK Air Defence and offshore wind. The Strategy and Implementation Plan sets the direction for that collaboration. The recommendations generated from this Task Force should be referred to by both defence and energy stakeholders.</p>	<p>The Project does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p>
Applicant Assessment	EN-1 5.5.37 – 5.5.40	<p>Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).</p> <p>The requirement for Air Traffic Control (ATC) and non-cooperative surveillance – i.e. radar/tracking technologies - forms part of the environmental Baseline for proposed developments.</p> <p>The Applicant should consult the MOD, Met Office, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.</p> <p>Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstrable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Potential effects are assessed in ES Chapter 16 Aviation, Radar, Military and Communication (APP-071) and consultation undertaken with relevant civil and military aviation stakeholders is detailed. Effects on civil and military aviation during the Project phases are assessed alongside cumulative impacts.</p> <p>For civil and military radar, relevant stakeholders, including the MoD, CAA, and NATS, have been invited to meetings as a forum to discuss the potential effects on aviation and radar in the area. Consultation with relevant stakeholders was ongoing throughout the pre-application process, allowing for consultation on the potential impacts arising from the Project. This is discussed in more detail within ES Volume 1, Chapter 16: Aviation, Radar, and Military and Communication (APP-071).</p>
	EN-1 5.5.41	<p>In addition, consideration of developments near aerodromes should take into account the following factors:</p> <ul style="list-style-type: none"> <li>▪ Bird Strike Risk - Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings, and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary).E</li> </ul>	<p>There are a number of small airfields/air strips within relatively close proximity to the ECC. However, none of the activities proposed would result in any of the potential risks to aviation as presented in EN-1. The closest radar-equipped airfields to the array area are Humberside Airport, 90km to the west, and Norwich Airport, 90km south of the array area. Effects on civil and military aviation during the Project phases are assessed including aerodromes in Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071) and are not significant under EIA Regulations.</p>

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		<ul style="list-style-type: none"> <li>▪ Building Induced Turbulence - If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure.</li> </ul> <p>Thermal Plume Turbulence - This is caused under certain conditions by the release of hot air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft.</p>	
	EN-1 5.5.42	If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the Applicant to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible.	The Applicant volunteered for the Project to be part of the NSIP Reform Early Adopter Programme which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions. set out in each of the NPSs. As such, the Applicant has ensured throughout the pre-examination process and will continue to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible of any changes.
Mitigation	EN-1 5.5.43- 5.5.44	<p>The Applicant should include appropriate mitigation measures as an integral part of the proposed development.</p> <p>Mitigation for infringement of OLS may include:</p> <ul style="list-style-type: none"> <li>▪ agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome against pre-COVID-19 levels); or</li> </ul> <p>installation of obstacle lighting and/or by notification in Aeronautical Information Service publications</p>	<p>A range of embedded mitigation measures, including adhering to all relevant CAA safety guidance, the creation of an Emergency Response Co-Cooperation Plan (ERCoP), notification to aviation stakeholders, lighting and marking to minimise effects to aviation flight would apply to the Project, as described within Section 16.5 and Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071). The detail of above mitigation measures will also be agreed in consultation with appropriate stakeholders. Aviation stakeholders will be made aware of the Project via NOTAMs and obstacle details will be passed to the CAA at least eight weeks before construction commences. CAA will forward the information to MOD DGC and NATS AIS for inclusion in the AIP and on relevant civil and military aeronautical charts. Marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p> <p>The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are being discussed with NATS and MOD.</p>
	EN-1 5.5.45	<p>For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include:</p> <ul style="list-style-type: none"> <li>▪ operational airspace changes</li> <li>▪ agreement to upgrade CNS infrastructure, the cost of which the Applicant will be required to fund until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the Applicant will be required fund any future upgrade for the lifetime of the wind farm. MOD will engage early with developers to ensure the costs are reflective of their need and impacts of the energy installation on the monitoring equipment.</li> </ul> <p>introducing commercially viable radar mitigation technology to the development, e.g. by using non-radar reflecting materials to manufacture wind turbine blades.</p>	
	EN-1 5.5.46 – 5.5.48	Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way of a reduction or alteration in the scale of development. There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in	

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		<p>proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity.</p> <p>Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.</p>	
Secretary of State decision making	EN-1 5.5.49 – 5.5.50	<p>The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets have been addressed by The Applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.</p> <p>In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar / tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.51	<p>When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.</p>	<p>There are no operational changes proposed to aerodromes and therefore this does not need to be considered.</p>
	EN-1 5.5.52 – 5.5.53	<p>In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised.</p> <p>If there are conflicts between the government’s energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK’s energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.</p>	<p>Refer to comment for paragraphs 5.5.29 -5.5.32; the Project will not have significant impacts on UK weather radar as outlined within Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.54	<p>There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.</p>	<p>The Air Navigation Order 2016/765 (CAA, 2022) implements the UK’s obligations under the convention on international civil aviation and regulates aspects of aviation safety.</p> <p>The Applicant will comply with statutory requirements as secured in the draft DCO. The Applicant is committed to making and lighting the Project in accordance with relevant industry guidance and as advised by relevant stakeholders including the MCA, CCA and Trinity House.</p>
	EN-1 5.5.55 – 5.5.56	<p>Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.</p>	<p>Refer to comment for Paragraph 5.5.54.</p>

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		Where new technologies to mitigate the adverse effects of wind farms on surveillance systems, such as radar, are concerned, the Secretary of State should have regard to any Civil Aviation Authority Guidelines and/or government guidance which emerges from the joint government/Industry Aviation Management Board and the Joint Air Defence and Offshore Wind Task Force.	
	EN-1 – 5.5.57 – 5.5.58	Where suitable technological solutions have not yet been developed or proven, the Secretary of State will need to consider the likelihood of a solution becoming available within the time limit for implementation of the Development Consent Order.  Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of ‘Grampian conditions’, or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment.	The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar systems, for which mitigation solutions are being discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
	EN-1 5.5.59	Where, after reasonable mitigation, operational changes, obligations, and requirements have been proposed, the Secretary of State should consider whether: <ul style="list-style-type: none"> <li>▪ a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs;</li> <li>▪ it would cause harm to aerodromes’ training or emergency service needs;</li> <li>▪ the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training;</li> <li>▪ the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure.</li> </ul> the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UKs flood agencies	The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.  Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).
	EN-1 5.5.60	Provided that the Secretary of State is satisfied that the impacts of proposed energy developments do not present risks to national security and physical safety, and where they, provided that the Secretary of State is satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to any Development Consent Order to secure those mitigations, consent may be granted.	Marking and lighting requirements are discussed in Chapter 16 Aviation, Radar, Military and Communication (APP-071) in accordance with ANO Article 223, lighting intensity will be reduced at and below the horizontal and further reduced when visibility in all directions from every WTG is more than 5km.  The generation and transmission deemed marine licences include a condition (Condition 10 Aviation safety) requiring the undertaker to notify the Defence Infrastructure Organisation Safeguarding regarding the construction of the scheme and its parameters. This is a standard condition and follows the wording of the same condition in other consented schemes.
<b>EN-1 Part 5.6: Coastal change</b>			
Coastal Change	EN-1 5.6.1 – 5.6.3	The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The government’s aim is to ensure that our coastal communities continue to prosper and adapt to coastal change. This means planning should:	A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003). The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ ensure that policies and decisions in coastal areas are based on an understanding of coastal change over time</li> <li>▪ prevent new development from being put at risk from coastal change by: <ul style="list-style-type: none"> <li>▪ avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast</li> <li>▪ directing development away from areas vulnerable to coastal change</li> </ul> </li> <li>▪ ensure that the risk to development which is, exceptionally, necessary in coastal change areas because it requires a coastal location and provides substantial economic and social benefits to communities, is managed over its planned lifetime</li> <li>▪ ensure that plans are in place to secure the long-term sustainability of coastal areas</li> </ul> <p>For the purpose of this section, coastal change means physical change to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.</p>	<p>associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p>
	EN-1 5.6.4 – 5.6.9	<p>Where Onshore infrastructure projects are proposed on the coast, coastal change is a key consideration as well as a vital element of climate change adaptation (see Section 4.10).</p> <p>Some kinds of coastal change happen very gradually, others over shorter timescales. Some are the result of purely natural processes others, including potentially significant modifications of the coastline or coastal environment resulting from climate change, are wholly or partly man-made. This section concerns both the impacts which energy infrastructure can have as a driver of coastal change, and how to ensure that developments are resilient to ongoing and potential future coastal change.</p> <p>The construction of an onshore energy project on the coast may involve, for example, dredging, dredge spoil deposition, cooling water, culvert construction, marine landing facility construction and flood and coastal protection measures which could result indirect effects on the coastline, seabed and marine ecology and biodiversity. Additionally, indirect changes to the coastline and seabed might arise as a result of a hydrodynamic response to some of these direct changes. This could lead to localised or more widespread coastal erosion or accretion and changes to offshore features such as submerged banks and ridges, marine biodiversity and heritage assets.</p> <p>This section only applies to onshore energy infrastructure projects situated on the coast. The impacts of offshore renewable energy projects on marine life and coastal geomorphology are considered in EN-3.</p> <p>Section 5.4 on biodiversity and geological conservation, Section 5.8 on flood risk and Section 4.10 on adaptation to climate change, including the increased risk of coastal erosion, are also relevant, as is advice on access to coastal recreation sites and features in Section 5.11 on land use. Advice on the historic environment in Section 5.9 may also be relevant.</p>	<p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p> <p>The effects of the Project on marine ecology, biodiversity and protected sites are considered elsewhere in the ES within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11: Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067); and</li> <li>▪ RIAA (APP-235).</li> </ul> <p>The effects of the Project on maintaining coastal recreation sites and features are set out in Chapter 18 Marine Infrastructure and Other Users (APP-073).</p>
Applicant Assessment	EN-1 5.6.10	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	An assessment of the potential impacts and predictions of the Project on Marine Physical Processes using the evidence base, project specific Baseline characterisation and project specific numerical modelling is provided in Chapter 7 Marine Physical Processes (APP-062).
	EN-1 5.6.11	The ES (see Section 4.3) should include an assessment of the effects on the coast, tidal rivers, and estuaries. In particular, applicants should assess:	The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) for the construction, O&M and decommissioning phases. The

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes The Applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast</li> <li>▪ the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area)), any relevant Marine Plans, River Basin Management Plans(RBMP), and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas</li> <li>▪ the effects of the proposed project on marine ecology, biodiversity, protected sites, and heritage assets</li> <li>▪ how coastal change could affect flood risk management infrastructure, drainage, and flood risk</li> <li>▪ the effects of the proposed project on maintaining coastal recreation sites and features.</li> </ul> <p>the vulnerability of the proposed development to coastal change, taking account of climate change, during the Project’s operational life and any decommissioning period</p>	<p>impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of this chapter.</p> <p>Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). This will mitigate the impact of cable protection upon beach morphology and littoral sediment transport. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003).</p> <p>The vulnerability of the Project to coastal change is considered in the context of Landfall infrastructure in Chapter 7 Marine Physical Processes (APP-062). As noted in the response to NPS EN-1 5.6.4 – 5.6.9, The presence of annual beach nourishment means that the choice of location for the onshore HDD works and jointing bay is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change, for as long as the ‘hold the line’ strategy is in place.</p>
	EN-1 5.6.12	<p>For any projects involving dredging or deposit of any substance or object into the sea, The Applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with LNG tanker deliveries to LNG import facilities.</p>	<p>Consultation has been undertaken through the scoping process and further consultation related to impacts from dredging and deposit is detailed in Chapter 7 Marine Physical Processes (APP-062), Chapter 8: Marine Water and Sediment Quality (APP-063), Chapter 9 Benthic and Intertidal Ecology (APP-064) and Chapter 10 Fish and Shellfish Ecology (APP-065).</p> <p>The Applicant has consulted with the MMO and Historic England as to the need for dredge and disposal works, and an associated disposal site, for offshore works, and provided a Site Characteristics Report which provides the regulator with adequate information to designate a disposal site for the construction phase.</p>
	EN-1 5.6.13	<p>The Applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of MPAs. These could include MCZs, habitat sites including SAC and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identify any effects on the special character of Heritage Coasts.</p>	<p>The locations of designated sites are shown in Figure 7.9 in Chapter 7 Marine Physical Processes Figures (APP-093 to APP-094) with potential impacts considered in Section 7.12 of Chapter 7 Marine Physical Processes (APP-062).</p> <p>A list of designated sites within the Marine Physical Processes ZoI, with detail of the relevant protected features, is provided below:</p> <ul style="list-style-type: none"> <li>▪ North Norfolk Sandbanks and Saturn Reef SAC</li> <li>▪ Inner Dowsing, Race Bank and North Ridge SAC</li> <li>▪ Chapel Point – Wolla Bank SSSI</li> </ul> <p>A standalone RIAA (APP-235) and a MCZ Assessment (APP-157), has been produced detailing all matters associated with statutory designations.</p> <p>The MCZ Assessment (APP-157) has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in Chapter 9 Benthic and Intertidal Ecology (APP-064) and the RIAA (APP-235).</p>
	EN-1 5.6.14	Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.	<p>In line with paragraphs 4.3.1 to 4.3.9 of this NPS, An ES (APP-051) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022). The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects.</p> <p>ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>The ES includes Chapter 7 Marine Physical Processes (APP-062) which provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change. Section 7.5 of the Chapter sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment. The chapter highlights that the preferred Environment Agency management strategy in place along this part of the coast from 2025 to 2055 is to maintain flood defences in their current position and to raise and improve them to counter sea level rise as required.</p> <p>Section 7.9 of the chapter specifically provides the relevant mitigation measures that were identified and adopted as part of the evolution of the Project’s design (embedded into the project design) and that are relevant to physical processes.</p> <p>As such it is considered that the Project is in accordance with paragraph 5.6.14 of EN-1.</p>
Mitigation	EN-1 5.6.15	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change, which is considered in Chapter 31 Climate Change (APP-085).</p> <p>Section 7.9 of Chapter 7 Marine Physical Processes (APP-062) sets out mitigation that were identified and adopted as part of the evolution of the project design (embedded into the project design) and that are relevant to physical processes (listed in Table 7.4).</p> <p>The Project has committed to a range of mitigation measures to reduce impacts, such as installing landfall cables within cable ducts installed using HDD technology. The Project will undertake a detailed Cable Burial Risk Assessment as part of its Cable Specification and Installation Plan which will be agreed with the MMO prior to construction</p>
Secretary of State decision making	EN-1 5.6.16	The Secretary of State should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the Project's operational life and any decommissioning period. Proposals which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure.	<p>Full account has been taken of this policy in the ES accompanying the Project application (APP-055). Potential changes in climate are described in Chapter 31 Climate Change (APP-086) and are considered alongside predicted impacts.</p> <p>The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location and sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.16 of EN-1.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.6.17	The Secretary of State should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>As noted in the response to NPS EN-1 5.6.16 above, the proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change. In addition, the assessment of impacts associated with modifications to littoral transport and coastal behaviour concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p>
	EN-1 5.6.18	The Secretary of State should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>The Applicant has committed to provision of Construction Method Statements and a Cable Specification and Installation Plan within the Marine Licence Principles document (Document no. 9.12) which will capture the proposed approach to installation. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Pre construction and Post construction monitoring were both proposed conditions within the deemed marine licence and will require approval by the MMO.</p>
	EN-1 5.6.19	The Secretary of State should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e., coast on site, and site on coast.	<p>The Baseline receiving environment, and the predicted impact of the proposed project on coastal processes (including coastal protection) and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) and ES Chapter 7 Appendix 1 Physical Processes Technical Baseline (AS-003). The assessment considers the nature of ongoing shoreline change at the landfall and the potential for cables and other project infrastructure to impact coastal processes</p> <p>As noted in the response to NPS EN-1 5.6.1 – 5.6.3, historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The chapter concludes that there will be no significant effect as a result of the Project.</p>
	EN-1 5.6.20	The Secretary of State should consult the MMO on projects which could impact on coastal change in England, or NRW for projects in Wales, since the MMO or NRW may also be involved in considering other projects which may have related coastal impacts.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul> <p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p>
	EN-1 5.6.21 – 5.6.22	<p>In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents, in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.</p> <p>The Secretary of State should also have regard to any relevant Shoreline Management Plans.</p>	<p>The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and MPS policy tests of relevance to the consideration of marine physical processes. Table 7.1 specifically provides reference to the relevant SMP (Environment Agency (2019a), 'Saltfleet to Gibraltar Point Strategy'), which has been considered within the assessment.</p>
	EN-1 5.6.23	<p>Substantial weight should be attached to the risks of flooding and coastal erosion and the Secretary of State should be satisfied that The Applicant has taken full account of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.</p>	<p>Potential changes in climate and erosion are described in Appendix 7.1 Physical Processes Technical Baseline (AS-003) and are considered alongside predicted changes identified in the assessment for each stage of the development in Chapter 7 Marine Physical Processes (APP-062).</p> <p>This includes potential impacts on coastal behaviour at the landfall site.</p> <p>The assessment concludes that the effect on the coast at the Project landfall is not significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.23 of EN-1.</p>
<b>EN-1 Part 5.7: Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation</b>			
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation	EN-1 5.7.1	<p>During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. However, they are not regulated by the environmental permitting regime, so mitigation of these impacts will need to be included in the Development Consent Order.</p>	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074).</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Applicant has provided a Statutory Nuisance Statement (APP-301) which draws upon the ES to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297).</p> <p>The Project has also identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas that could suffer from nuisance are located away from the Project's infrastructure elements (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Throughout the ES, the Project proposes several mitigation measures to limit nuisance. For example, the Outline Code of Construction Practice (APP-268), and associated environmental management plans, will ensure that the Project complies with best practice measures and standard protocol to limit impacts from dust and artificial lighting.
	EN-1 5.7.3	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the applicant and Secretary of State.	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074). The assessment of dust emissions considers the following works: demolition, earthwork, construction and track out. Further details of the dust assessment can be found within Volume 3, Annex 19.1: Construction Phase Dust Assessment Methodology (APP-176). With the use of effective mitigation measures, as outlined in Annex 19.1 (APP-176) residual effects are considered to be not significant in terms of the EIA Regulations.</p> <p>With the use of effective mitigation measures, as outlined in Outline Air Quality Management Plan (APP-270), including general works measures, earthworks, trackout and maintenance and monitoring of the site residual effects are considered to be not significant in terms of the EIA regulations.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting during the hours of darkness; no significant impacts will arise from the Project with appropriate mitigation measures put in place (as set out ion the Outline Code of Construction Practice (APP-268)).</p>
	EN-1 5.7.4	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	<p>The Project has assessed the potential impacts on amenity within Chapter 29 Socio-Economic Characteristics (APP-084) and Chapter 25 Land Use (APP-080).</p> <p>Several long-distance and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however none will be closed temporarily without offering a diversion or alternative route as detailed in the Outline Public Access Management Plan (PAMP) (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p>
Applicant assessment	EN-1 5.7.5	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.	<p>The Project would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>
	EN-1 5.7.6	<p>In particular, the assessment provided by the Applicant should describe:</p> <ul style="list-style-type: none"> <li>▪ the type, quantity, and timing of emissions</li> <li>▪ aspects of the development which may give rise to emissions;</li> <li>▪ premises or locations that may be affected by the emissions;</li> <li>▪ effects of the emission on identified premises or locations;</li> </ul> <p>measures to be employed in preventing or mitigating the emissions</p>	<p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted in consideration of the different onshore activities and phases of the development with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>

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	EN-1 5.7.7	The Applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	<p>The Applicant has undertaken consultation with the relevant local planning authority regarding the air quality assessment.</p> <p>Section 19.5 of Chapter 19 Onshore Air Quality (APP-074) outlines the scope of the air quality assessment, which has been informed by both national and local planning policy and guidance, which establish best practice and experience, as well as via the consultation process with relevant consultees. This is alongside advice provided within the Scoping Opinion from The Planning Inspectorate (The Planning Inspectorate, 2022).</p> <p>The air quality assessment and assessment of the effects of visual amenity from the use of artificial lighting during the hours of darkness were included within the Preliminary Environmental Information Report (PEIR), that was published in June 2023 as part of Statutory Consultation on the Project. Feedback from local planning authorities has been incorporated within the submitted ES chapters.</p>
Mitigation	EN-1 5.7.8	<p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated</li> <li>▪ lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material</li> </ul> <p>administrative: limiting operating times; restricting activities allowed on the site; implementing management plans</p>	The Applicant has committed to provision of Construction Method Statements alongside the CoCP and associated environmental management plans (including an Air Quality Management Plan, Pollution Prevention and Emergency Incident Response Plan), that capture the applicable requirements of Paragraph 5.7.8. The Applicant has also submitted information limiting operating times, restricting activities allowed on the site and implementing management plans within the Outline Code of Construction Practice (APP-268).
	EN-1 5.7.9	Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.	<p>An Outline Code of Construction Practice (CoCP) (APP-268) is part of a suite of documents that support the DCO application submitted by the Applicant. The Outline CoCP sets out the general principles and management measures to be adopted during construction of the Onshore Infrastructure associated with the Project.</p> <p>A final CoCP will be produced and submitted to the relevant planning authority for approval prior to construction of the onshore infrastructure and will be in accordance with the principles established in the Outline CoCP. This is secured by Requirement 18 of the draft DCO (APP-303). The final CoCP will provide the mechanism to assure relevant regulatory authorities that environmental impacts associated with the construction of the Onshore Infrastructure will be controlled and mitigated.</p> <p>The majority of the detailed management measures to be captured in the CoCP are set out within the following respective outline environmental management plans</p> <ul style="list-style-type: none"> <li>▪ Outline Noise and Vibration Management Plan (APP-269)</li> <li>▪ Outline Air Quality Management Plan (APP-270)</li> <li>▪ Outline Soil Management Plan (APP-271)</li> <li>▪ Outline Pollution Prevention and Emergency Incident Response Plan (APP-272)</li> <li>▪ Outline Surface Water Drainage Strategy (APP-273)</li> <li>▪ Outline Site Waste Management Plan (APP-274)</li> </ul> <p>A Schedule of Mitigation (APP-287) is also provided with the DCO application, which provides a summary of the mitigation identified for the Project including embedded mitigation measures, which have been designed into the project</p>

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			For example, the Outline Air Quality Management Plan includes the proposal “Where feasible and commercially available, ensure equipment complies with the latest (Stage V) emission standards.”
	EN-1 5.7.10 – 5.7.11	Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. A construction management plan may help clarify and secure mitigation.	<p>The Applicant has committed to provision of Construction Method Statements. No explosive demolition is proposed as part of the construction of the development.</p> <p>If UXO are identified on the seabed following pre-construction surveys the Applicant will apply for a separate marine licence.</p> <p>In respect of the decommissioning of the Project, DCO Requirement 24 requires the undertaker to notify the relevant planning authority of the date of the permanent cessation of commercial operation of the onshore transmission works and provides that following the cessation, an onshore decommissioning plan in respect of the onshore transmission works must be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body. DCO Requirement requires an offshore decommissioning programme to be submitted to the Secretary of State prior to the commencement of offshore works.</p>
	EN-1 5.7.12	<p>The Secretary of State should satisfy itself that:</p> <ul style="list-style-type: none"> <li>an assessment of the potential for artificial light, dust, odour, smoke, steam, and insect infestation to have a detrimental impact on amenity has been carried out;</li> </ul> <p>that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts</p>	Management strategies proposed are adequate to minimise any detrimental impacts and are adequately secured within the DCO to ensure impacts are minimized. The potential for impacts to occur as a result of dust or artificial lighting have been assessed within the EIA process and significant effects are not predicted to occur. Appropriate mitigation is proposed through the CoCP (Outline Code of Construction Practice (CoCP) (APP-268)) and associated environmental management plans. The Project is therefore in accordance with NPS EN-1 paragraph 5.7.12
	EN-1 5.7.13-5.7.14	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should, disapply in whole or in part the defence through a provision in the DCO. Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures.	<p>A Statutory Nuisance Statement (APP-301) details possible sources of any statutory nuisance and how this might be mitigated or limited, through embedded design or management measures.</p> <p>With appropriate measures in place (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans), it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation.</p> <p>Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p>
	EN-1 5.7.15	In particular, the Secretary of State should consider whether to require The Applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The	A Statutory Nuisance Statement (APP-301) details the possible sources of statutory nuisance and how this might be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise

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		Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	<p>potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the outline Code of Construction Practice (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans). Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p> <p>Some impact on amenity for local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum.</p>
<b>EN-1 Part 5.8: Flood Risk</b>			
Flood Risk	EN-1 5.8.1 – 5.8.3	<p>Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial disruption and damage to property.</p> <p>The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management.</p> <p>The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The industry should consider any updates to government policy and apply updated approaches as a matter of priority.</p>	<p>The potential hydrological receptors in the study area comprise the tidal and fluvial floodplain; various watercourses, including Main Rivers and ordinary watercourses or drains; groundwater; and the near-shore tidal waters of the North Sea. These receptors vary in their environmental sensitivity</p> <p>Chapter 24 Hydrology and Flood Risk (APP-079) concludes that through the implementation of mitigation measures, including those specified in the Outline Code of Construction Practice (APP-268), and a surface water drainage scheme for the OnSS to ensure the runoff rates to the surrounding water environment are managed at rates agreed with the relevant regulatory authority, it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p> <p>The assessment is informed by and supported by the information contained within the following flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul>
	EN-1 5.8.5 – 5.8.6	<p>Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; The Applicant and the Secretary of State should take account of the policy on climate change adaptation in Section 4.10.</p> <p>The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>Flood risk has also been considered for the life of the development (from the construction-decommissioning stages in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</p>

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	EN-1 5.8.7 – 5.8.8	<p>Where new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood.</p> <p>Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are or will be at unacceptable risk of flooding, should be supported where it would result in climate-resilient infrastructure.</p>	<p>Flood risk has been a guiding influence on the siting of the onshore infrastructure and the Applicant has undertaken sequential testing as discussed in sections 8.3 (OnSS) and 9.2(Onshore ECC) of ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The sequential test and exceptions Tests are included in the Flood Risk Assessments submitted alongside ES Chapter 24 Hydrology and Flood Risk (APP-079) as contained in Appendices 24.2 Flood Risk Assessment (Onshore ECC and 400kV cable corridor and 24.3 Flood Risk Assessment (OnSS) (APP-211 and APP-212 respectively).</p> <p>Whilst this is not possible for the entirety of the Project, the FRAs (see APP-211 and APP-212) demonstrate that, as a result of the proposed mitigation, the Project will not result in significant effects with respect to flood risk.</p>
	EN-1 5.8.9 – 5.8.11	<p>If, following application of the Sequential Test, it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied as defined in <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2">https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2</a>. The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.</p> <p>The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example AONBs, SSSIs and World Heritage Sites (WHS) which would not usually be considered appropriate.</p> <p>Both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that:</p> <ul style="list-style-type: none"> <li>▪ the project would provide wider sustainability benefits to the community that outweigh flood risk; and</li> </ul> <p>the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.</p>	<p>ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines that flood risk has been a guiding influence on the siting of the OnSS (see Sections 8.3 and 9.2 for discussion on the OnSS and Onshore ECC respectively within the chapter.)</p> <p>Flood Risk reporting has been undertaken within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>Sections of the OnSS and ECC are located within flood zones 2 and 3. Therefore, in line with statutory guidance the sequential and exception tests have been applied within the above FRAs, which both conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <p>With regard to the OnSS, the area within the vicinity of the connection point is characterised by Flood Zone 3, with only a small number of pocket areas which are designated as Flood Zone 1 and 2. There were no sites large enough of flood zone 1 and 2 to accommodate the OnSS in its entirety. Each of the pocket areas were reviewed, and in comparison to the adopted site, were either considered to have a higher flood risk due to their proximity to the River Welland (and therefore at higher flood risk in a breach scenario). ; or, were unable to accommodate the OnSS due to size constraints. The Applicant, while not able to wholly apportion their site on flood risk zone 1 or 2, continued to consider the small pockets of lower flood risk while also consulting supporting data and materials to aid in a site definition with the best possible flood resilience and did identify a suitable site partially in flood zone 2</p>
	EN-1 5.8.12	<p>Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques</p>	<p>With regard to the onshore ECC, given the extent of flood zone 3 between the landfall and connection point, locating the onshore ECC outside of this flood zone would require a significant diversion (with an approximate 20km of additional cable) which would not be technically deliverable.</p> <p>The Project is an NSIP for renewable energy generation and so demonstrates wider sustainability benefits to the community that outweigh flood risk. As such it is considered that the first part of the Exception Test is passed.</p> <p>The flood risk modelling (as set out in the FRAs) has shown that during the operational phase of the onshore ECC, the Project will not be at risk of flooding, and will not increase flood risk elsewhere. The onshore ECC will only be at potential risk of flooding during the construction phase, which could lead to a temporary increase in flood risk elsewhere during this phase. It is proposed that this is managed through</p>

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			<p>appropriate mitigation measures comprising a Flood Management and Response Plan and Surface Water Drainage Strategy for the construction phase which will be submitted as part of the final CoCP.</p> <p>Based on the outcomes of the modelling undertaken and the findings of this as presented in Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212, including the mitigation measures outlined in the FRA (including design elements and an evacuation, access and egress measures), it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.</p> <p>This is following the proposed mitigation which includes an Outline Surface Water Drainage Strategy (SWDS) (document APP-273) and an Outline Code of Construction Practice (document APP-268) which set out the principles and protocols to address potential drainage and flooding issues.</p> <p>As summarised above, with further detail provided within the respective FRAs it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, meeting the requirements of the Exception Test.</p>
Applicant Assessment	EN-1 5.8.13 – 5.8.14	<p>A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> <li>▪ sites of 1 hectare or more;</li> <li>▪ land which has been identified by the EA or NRW as having critical drainage problems;</li> <li>▪ land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future;</li> <li>▪ land that may be subject to other sources of flooding (for example surface water);</li> <li>▪ where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.</li> </ul> <p>This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	<p>The Applicant has submitted site specific flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul> <p>The FRAs identify the baseline context, the potential sources of flood, a detailed assessment of the flood risk and proposed mitigation demonstrating how flood risk has been managed. Section 24.1.5 of the Onshore ECC and 400kV cable corridor and section 24.4 of the Onshore Substation FRA set out how climate change has been taken into account.</p>
	EN-1 5.8.15	<p>The minimum requirements for Flood Risk Assessments (FRA) are that they should:</p> <ul style="list-style-type: none"> <li>▪ be proportionate to the risk and appropriate to the scale, nature, and location of the project;</li> <li>▪ consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</li> <li>▪ take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made;</li> </ul>	<p>Flood Risk Assessment reporting has been undertaken in consultation with the EA and Local Authorities, compliant to NPS EN-1, paragraph 5.8.15, this is included in Chapter 24 Hydrology and Flood Risk (APP-079), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p> <p>The two FRAs consider the OnSS and onshore ECC separately and both assessment meets the minimum requirements for Flood Risk Assessments as outlined in Paragraph 5.8.15.</p> <p>Consultation regarding flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022), and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023).</p>

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		<ul style="list-style-type: none"> <li>▪ be undertaken by competent people, as early as possible in the process of preparing the proposal;</li> <li>▪ consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance;</li> <li>▪ consider the vulnerability of those using the site, including arrangements for safe access and escape;</li> <li>▪ consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;</li> <li>▪ consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;</li> <li>▪ include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding;</li> <li>▪ consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the Project may affect drainage systems. Information should include: <ul style="list-style-type: none"> <li>i. Describe the existing surface water drainage arrangements for the site;</li> <li>ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates;</li> <li>iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate;</li> <li>iv. Demonstrate how the hierarchy of drainage options has been followed.</li> <li>v. Explain and justify why the types of SuDs and method of discharge have been selected and why they are considered appropriate.</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site</li> <li>vii. Describe the multifunctional benefits the sustainable drainage system will provide;</li> <li>viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system;</li> <li>ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere;</li> <li>x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development. <ul style="list-style-type: none"> <li>▪ detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and</li> </ul> </li> </ul> <p>be supported by appropriate data and information, including historical information on previous events.</p>	
	EN-1 5.8.16	Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	Chapter 24 Hydrology and Flood Risk (APP-079) considers relevant policy alongside the NPPF , along with guidance contained within PPG
	EN-1 5.8.17	<p>Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure:</p> <ul style="list-style-type: none"> <li>▪ Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary</li> <li>▪ Their standard of protection is not reduced</li> </ul> <p>Their condition or structural integrity is not reduced</p>	As stated in Chapter 24 Hydrology and Flood Risk (APP-079), the requirements within Paragraph 5.8.17 of EN-1 have been accounted for via the Project's design including the routing of the Onshore ECC and design of key crossing points (flood defence structures, Main Rivers, non-main and ordinary watercourses, IDB watercourses, roads, utilities, etc.), including the use of Trenchless techniques to avoid key areas of sensitivity.
	EN-1 5.8.18 – 5.8.20	<p>Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.</p> <p>Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed.</p> <p>If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, The Applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal</p>	<p>Consultation regarding hydrology, hydrogeology and flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Chapter 6 Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>The Environment Agency has been the main consultee in relation to the flood resilience requirements for the OnSS and the modelling that was required in order to determine the maximum depth to be considered in the OnSS design. Consultation with Environment Agency was undertaken as part of the EPP, as set out in Chapter 24 Hydrology and Flood Risk (APP-079).</p>

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		might be amended, or additional information provided, which would satisfy the authority's concerns.	
	EN-1 5.8.21 5.8.23	<p>The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</p> <p>The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.</p> <p>Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site.</p>	<p>The response to NPS EN-1 5.8.9 – 5.8.11 summarises the approach to the sequential test that has been taken by the applicant with regard to the OnSS and onshore ECC. Full details of the sequential test are provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p>
Mitigation	EN-1 5.8.24 – 5.8.25	<p>To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.</p> <p>In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate:</p> <ul style="list-style-type: none"> <li>▪ source control measures including rainwater recycling and drainage;</li> <li>▪ infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;</li> <li>▪ filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</li> <li>▪ filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed;</li> <li>▪ basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding;</li> </ul> <p>flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.</p>	<p>The Project employs sustainable approaches to surface water drainage. This includes the design of the OnSS which incorporates a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the OnSS location and will not increase flood risk locally or in the wider area. For further detail relating to sustainable drainage during construction see the Outline Surface Water Drainage Strategy (APP-273). The final Surface Water Drainage Strategy will be developed according to the principles of the SuDS discharge hierarchy. Generally, the aim will be to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:</p> <ul style="list-style-type: none"> <li>▪ Into the ground (infiltration);</li> <li>▪ To a surface waterbody;</li> <li>▪ To a surface water sewer, highway drain or another drainage system; or</li> <li>▪ To a combined sewer.</li> </ul> <p>An Outline Operational Drainage Management Plan (APP-286), has also been provided for the OnSS which sets out high level principles for managing surface water on the OnSS in line with best practice and the requirements of Lincolnshire County Council as the Lead Local Flood Authority (LLFA). It is proposed that impermeable surfaces within the proposed OnSS development will drain surface water via gravity to a swale running along the northern, north-eastern and north-western perimeter of the Site. This swale will serve as the primary attenuation feature for the OnSS but will also act as a conveyance feature for surface water runoff draining to the receptor, Risegate Eau. Furthermore, the swale will also satisfy water quality requirements by treating and removing contaminants from runoff prior to discharge, while also encouraging percolation of runoff to the ground. Due to the build-up of the OnSS platform, as part of the potential design additional capacity for surface water attenuation could be provided within the platform. The proposed drainage strategy demonstrates there is sufficient space and capacity at the OnSS to provide an adequate drainage system to required discharge rates. The strategy presented in the Outline Operational Drainage Management Plan (APP-286) will be developed through the detailed design process and the final plan (which is secured by requirement 15 of the draft DCO (APP-303)) will be subject to relevant approvals and refinement before construction commences.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.8.26 – 5.8.29	<p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary, through the use of a planning obligation.</p> <p>The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.</p>	<p>Surface water management has been addressed during the construction phase within an Outline Surface Water Drainage Strategy (APP-273) provided as part of the Outline Code of Construction Practice (APP-268).</p> <p>Surface water management during the operational phase of the OnSS has been addressed within an Outline Operational Drainage Management Plan (APP-286). The Outline Operational Drainage Management Plan accounts for anticipated changes in peak rainfall intensity over the anticipated lifetime of development.</p> <p>The detailed (post consent) design of the surface water drainage scheme would be informed by a series of infiltration/soakaway tests carried out on site and the maximum potential attenuation volumes that are outlined in the Outline Surface Water Drainage Strategy (APP-273).</p> <p>The location of the OnSS and wider local area are underlain by bedrock geology comprising Oxford Clay Formation – Mudstone, and superficial deposits comprising Tidal Flat Deposits – Clay and Silt. Furthermore, due to the site's proximity to the tidal River Welland, the ground is likely to comprise a high water table, particularly during high tides. As such, discharge of surface water runoff from the OnSS to ground via infiltration is likely to be infeasible.</p> <p>The existing OnSS surface water runoff is understood to generally run in a south-easterly direction before spilling into an existing field drainage ditch. On the basis that the proposed OnSS will be situated close to Risegate Eau, and given that the local topography is essentially flat, the preferred method of drainage is to discharge at a restricted rate to Risegate Eau, which falls under the management of Welland &amp; Deepings IDB. The proposed drainage strategy will therefore need to demonstrate there is sufficient space and capacity on the OnSS to provide an adequate drainage system to required discharge rates. The Outline Operational Drainage Management Plan proposes the use of swales and underground attenuation in order to achieve the desired discharge rates.</p>
	EN-1 5.8.30 – 5.8.32	<p>Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided.</p> <p>Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site.</p> <p>Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.</p>	<p>ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212) reports that as part of the results analysis for the hydraulic modelling, and following discussions with the Environment Agency to determine their assessment requirements, a comparison of the flood hazard rating between the baseline existing conditions and post-development scenario has been made.</p> <p>The results demonstrate an increase in hazard rating across a number of small areas within the vicinity of the OnSS relating to a small number of properties. At all but one property the increase in peak flood depth is less than 20mm. Given how remote these increases are from the development, these are considered more likely to represent acceptable anomalies within the hydraulic modelling, rather than actual changes that would occur in the event of a breach scenario.</p> <p>Even if the above increases were considered as actual effects of the development, and not anomalies in the model, it is important to note that this risk would still be residual. The assessment has been based on a more onerous 0.1% Annual Exceedance Probability (AEP) plus climate change flood event in conjunction with a breach of the flood defences occurring. Given that the flood defences are inspected and maintained, the eventuality of this scenario occurring is small and it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. As such, the impact on flood risk is not predicted to be significant in EIA terms.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.8.33	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding.	The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO. This would include a procedure for securing sensitive equipment and/or relocating materials stored in bulk.
	EN-1 5.8.34	The Applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	The FRAs for the OnSS and onshore ECC (APP-211 and APP-212) have been undertaken in consultation with the Environment Agency and local authorities which includes consideration of emergency planning documents, flood warning and evacuation procedures. The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO.
	EN-1 5.8.35	Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.	Table 24.19 of Chapter 24 Hydrology and Flood Risk (APP-079) provide an overview of proposed mitigation in relation to flood risk, which includes the use of water resilient and resistant materials. Regarding the onshore project infrastructure, cable entry and exit points within transition pits and cable junction bays will be sealed with an appropriate water proofing material to mitigate flood risk.
Secretary of State decision making	EN-1 5.8.36	<p>In determining an application for development consent, the Secretary of State should be satisfied that where relevant:</p> <ul style="list-style-type: none"> <li>▪ the application is supported by an appropriate FRA;</li> <li>▪ the Sequential Test has been applied and satisfied as part of site selection;</li> <li>▪ a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk;</li> <li>▪ the proposal is in line with any relevant national and local flood risk management strategy;</li> <li>▪ SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate;</li> <li>▪ in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42);</li> <li>▪ the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development;</li> </ul> <p>land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation, or maintenance.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>FRA reporting (APP-211 and APP-212) has been undertaken in consultation with the Environment Agency and local authorities which includes consideration and application of the sequential approach within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Based upon detail provided within the respective FRAs (Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).), it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p> <p>The OnSS design includes a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area, as detailed in the Outline Operational Drainage Management Plan (APP-286).</p> <p>The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent.</p> <p>Overall, through the implementation of mitigation measures, including those specified in the CoCP (APP-268), it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p>
	EN-1 5.8.37 – 5.8.39	For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any	As outlined in Chapter 24 Hydrology and Flood Risk (APP-079), the OnSS design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area.

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		<p>National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.</p> <p>In addition, the development consent order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted.</p> <p>Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.</p>	<p>The surface water drainage scheme is required to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates.</p> <p>The detailed (post-consent) design of the surface water drainage scheme would be informed by infiltration/soakaway tests carried out on site and the required attenuation volumes will be outlined in the supporting Flood Risk Assessment OnSS (APP-212).</p> <p>Further details with respect to drainage are contained within the Outline Operational Drainage Management Plan (APP-286) and the OCoCP (APP-268). The Outline ODMP for the OnSS has been prepared in accordance with guidance presented within the National Planning Policy Framework (NPPF)<sup>1</sup> and its associated Planning Practice Guidance (PPG)<sup>2</sup>, taking due account of current best practice documents relating to assessment of flood risk published by the British Standards Institution BS8533</p> <p>DCO Requirement 15 (Operational drainage management plan) prevents construction of the onshore HVAC substation from commencing until an operational drainage management plan in respect of works (which accords with the outline operational drainage management plan) has been submitted to and approved by the relevant planning authority, in consultation with the lead local flood authority (being Lincolnshire County Council) and the Environment Agency. The plan must include provision for the maintenance of any measures identified and must be implemented as approved</p>
	EN-1 5.8.40	<p>If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by The Applicant and the authority to try to resolve the concerns.</p>	<p>Chapter 24 Hydrology and Flood Risk (APP-079), the EA have been consulted and have provided a scoping response. The Project has drawn upon advice within the scoping response and sought to include any proposals within the scheme. At this current date, there are no concerns that have been raised by the EA that have not been addressed.</p> <p>The EA will be consulted by the relevant planning authority with regard to the consideration and approval of details to meet DCO Requirements 15 (Operational drainage management plan) and Requirement 18 (Code of construction practice), and so will be given the opportunity to review and comment on detailed design proposals for the management of surface water during construction and operation.</p>
	EN-1 5.8.41 – 5.8.42	<p>Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage and will not impede water flows.</p> <p>Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.</p>	<p>The response to 5.8.9 – 5.8.11 provides a summary of the consideration of sequential and exception test by the Applicant, with further information provided in</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059),</li> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>It can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 5.9: Historic environment			
Historic Environment	EN-1 5.9.1 – 5.9.4	<p>The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground.</p> <p>The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora.</p> <p>Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called ‘heritage assets’. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset’s physical presence, but also from its setting.</p> <p>Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are:</p> <ul style="list-style-type: none"> <li>▪ World Heritage Sites</li> <li>▪ Scheduled Monuments</li> <li>▪ Protected Wreck Sites</li> <li>▪ Protected Military Remains</li> <li>▪ Listed Buildings</li> <li>▪ Registered Parks and Gardens</li> <li>▪ Registered Battlefields</li> <li>▪ Conservation Areas</li> </ul> <p>Registered Historic Landscapes (Wales only).</p>	<p>ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) consider the designated heritage assets outlined in Paragraphs 5.9.1 – 5.9.4 of EN-1 and outline that the Project will not result in any adverse significant effects to heritage assets.</p> <p>A review of heritage assets has identified known and anticipated onshore archaeological remains within the Order Limits which may be susceptible to direct impacts. It has also identified built heritage receptors within the vicinity of the Order Limits which may be sensitive to setting change. The assessment of archaeological potential was aided by deposit modelling and field evaluation comprising a watching brief of site investigations and geophysical survey.</p> <p>The offshore assessment is informed by a desk-based review of the known marine archaeological and cultural heritages receptors and a geophysical assessment. All known and potential marine heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in ES Chapter 13 Appendix 1 Marine and Intertidal Archaeology Technical Report (APP-167).</p> <p>The onshore Archaeological DBA (APP-180 to APP-187) sets out an archaeological background to understand the archaeological sensitivity of the Order Limits. The DBA identifies potential heritage assets of an archaeological nature located within the Order Limits and describes their significance, in accordance with the requirement under National Planning Policy Framework (NPPF 2023). No designated archaeological remains would be physically affected by the Project.</p> <p>ES Chapter 20 Appendix 2 Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project’s Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 .</p>
	EN-1 5.9.5	<p>There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are:</p> <ul style="list-style-type: none"> <li>▪ those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate;</li> <li>▪ those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck Sites but are incapable of being designated by virtue of being outside the scope of the related legislation.</li> </ul> <p>those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites.</p>	<p>An Outline Onshore WSI (APP-283) and Outline Marine Archaeological WSI (APP-282) have been provided in support of the application. The requirements and conditions set out in the DCO and DMLs ensure the submission of onshore and offshore WSIs respectively which are to accord with the outline plans.</p> <p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	EN-1 5.9.6	Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments or Protected Wreck Sites should be considered subject to the policies for designated heritage assets. The absence of	Effects on designated and non-designated heritage assets are considered in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance.	The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.
	EN-1 5.9.7 – 5.9.8	The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets. Impacts on heritage assets specific to types of infrastructure are included in the technology specific NPSs.	No significant impacts to non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall.  In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts. On this basis there would be no residual significant effects to non-designated archaeological remains.  With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.
Applicant Assessment	EN-1 5.9.9	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 (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	Effects on designated and non-designated heritage assets have been considered within Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075). This includes assets above, at and below ground level. Consideration is given to the possible impacts, including cumulative, on the wider historic environment.  Onshore mitigation measures are set out in the OWSI for Archaeological Work (APP-283). These comprise the standard suite of archaeological mitigation works including set piece excavation, strip, map and sample, watching briefs and preservation in situ. Mitigation options will be deployed in response to the results of archaeological evaluation also set out within the OWSI.  Offshore mitigation measures are set out in the Outline Marine Archaeological WSI (APP-282) and include archaeological exclusion zones, micrositing and adherence to a protocol for archaeological discoveries.  ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), supported by the onshore DBA (APP-180 to APP-187) and the Heritage Statement (APP-188), provide a sufficient level of information to understand the likely significant heritage impacts. Assets above, at and below ground have been considered and impact to Historic Landscape Character has been assessed. Impacts are presented in section 20.7. of ES Chapter 20
	EN-1 5.9.10	As part of the ES the Applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the Applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	All known and unknown heritage assets in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Section 13.4 of Chapter 13 Marine and Intertidal Archaeology (APP-068). Potential offshore impacts on the Historic Environment of the Project is discussed in Section 13.9 and Section 13.13 of Chapter 13 Marine and Intertidal Archaeology (APP-068).  The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.  The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023)

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>Effects on designated and non-designated heritage assets have been considered in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p> <p>The assessment presented has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Both onshore and offshore assessments conclude there will not be any residual significant direct or indirect effects following the implementation of design measures at detailed design stage. Written Scheme of Investigations (WSIs), are proposed for both onshore and offshore elements and outline WSIs are provided within the submission documents.</p> <p>Consultation regarding Marine and Intertidal Archaeology and Onshore Archaeology and Cultural Heritage has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings; the Marine and Onshore Archaeology and Cultural Heritage ETG included Historic England, Maritime Archaeology, the MMO and Lincolnshire County Council. (LCC)</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Bilateral engagement with relevant stakeholders including Historic England and the LCC</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and,</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project consultation process is presented within the Consultation Report (APP-032)</p>
	<p>EN-1 5.9.11</p>	<p>Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, The Applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.</p>	<p>Marine archaeological and cultural heritage receptors and the archaeological potential within the marine archaeology s Study Area have been considered and assessed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167). This is informed by desk study and geophysical survey information.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Field based surveys and desk-based research have been undertaken to inform the assessment.</p> <p>The DBA references the results of field evaluation comprising a watching brief of Site Investigations, magnetometer geophysical survey and electromagnetic geophysical survey. This is in accordance with the NPPF (paragraph 194) and EN-1 (paragraph 5.9.11).</p> <p>It is noted that the targeted geophysical survey has included the footprint of the Transition Joint Bay, the only part of the Order Limits where significant impacts may have been predicted on the basis of historic</p>

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			<p>geography and archaeological potential but where a potential for preservation in situ is not possible (see ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the schedule of Mitigation (APP-287).</p> <p>At all other locations within the Order Limits where significant impacts could occur (in reference to historic geography and resulting archaeological potential) the indicative onshore infrastructure as set out in ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the Schedule of Mitigation (document APP-287) provide for the preservation in situ of remains of national importance should it be required</p> <p>Further geophysical survey has been and trial trenching will be carried out post EIA as well as post consent works set out within the Outline Onshore WSI (APP-283). These works will support the preservation in-situ of remains of national importance commitment. In these circumstances the baseline presented is considered adequate for the determination of the DCO.</p> <p>Visualisations of the OnSS are provided and include computer generated images of the proposals from viewpoints relevant to heritage assets, LVIA chapter, Chapter 28 Landscape and Visual Assessment (APP-083).</p>
	<p>EN-1 5.9.12</p>	<p>The Applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent, and detail of these studies will be proportionate to the significance of the heritage asset affected.</p>	<p>The assessment has recognised the need to understand the effects on the heritage significance of heritage assets and/or significant places. The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The archaeological significance and potential impact, including positive contribution, on the marine archaeological receptors identified within the marine archaeology Study Area was undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The Chapter sets out the MDS and relevant activities that may impact marine archaeological and cultural heritage receptors. The chapter also details further information how marine archaeological and cultural heritage receptors may be affected.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. The information provided within the Heritage Statement (APP-188) and the onshore Archaeological DBA (APP-180 to APP-187) provides for an understanding of which assets may experience adverse impact/harm. The assessment of effects to setting which may include the consideration of lighting and noise changes has been considered. It is therefore considered that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents</p>
	<p>EN-1 5.9.13</p>	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA</p>

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		<ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during</p>

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			<p>the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p> <p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
Mitigation	EN-1 5.9.16 – 5.9.18	<p>A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.</p> <p>Where the loss of the whole or part of a heritage asset’s significance is justified, the Secretary of State will require The Applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset’s importance and significance and the impact. The Applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.</p> <p>Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.</p>	<p>Requirement 17 of the draft DCO requires the Applicant to submit a WSI in accordance with the provisions set out in the Outline WSI (APP-283) and for provision to be made for the analysis, publication and dissemination of results and archive deposition.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The outline Onshore WSI notes that preservation in situ could be achieved through the micro-siting of launch and receive pits within cable installation compounds, trenchless construction techniques to avoid an open cut and easement stripping for cable installation and no-dig methods at compounds and temporary haul roads where standoffs or bog matting could be utilised respectively</p> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority.</p> <p>The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the construction of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI. Requirement 17 (Onshore archaeology) within the draft DCO (APP-303) provides that the relevant stage of the onshore works may not commence until a written scheme of archaeological investigation (which must accord with the outline onshore written scheme of investigation for archaeological works) has been submitted to and approved by Lincolnshire County Council in consultation with the relevant planning authority and Historic England. Thereafter the scheme must be undertaken in accordance with the approved details. Requirement 17 makes provision for analysis, publication and dissemination of results and archive deposition of any archaeological site investigations.</p> <p>The offshore WSI is secured through a condition of the deemed marine licence (Pre-construction plans and documentation) and will require approval in consultation with Historic England. The condition provides that the activities permitted by the marine licence may not commence until a written scheme of archaeological investigation (which must accord with the outline marine archaeological written scheme of investigation) has been submitted to and approved by the MMO.</p>
	EN-1 5.9.19 – 5.9.21	<p>Where the loss of significance of any heritage asset has been justified by The Applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:</p> <ul style="list-style-type: none"> <li>▪ imposing a requirement in the DCO</li> <li>▪ requiring The Applicant to enter into an obligation</li> </ul>	<p>The offshore assessment provided in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) concludes that throughout the construction, operation and maintenance and decommissioning phases, there is no loss of significance of any heritage assets with no additional mitigation measures identified.</p> <p>The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further</p>

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		<p>That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed.</p> <p>Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.</p>	<p>mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and microsited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</p> <p>The onshore assessment provided in ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project. The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.</p> <p>No loss of significance of non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall. In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts.</p> <p>On this basis there would be no residual significant effects to non-designated archaeological remains.</p> <p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority and MMO (in consultation with Historic England), and are controlled via DCO Requirement and condition of the deemed marine licence.</p>
Secretary of State decision making	EN-1  5.9.22	<p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:</p> <ul style="list-style-type: none"> <li>▪ relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application;</li> <li>▪ any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales</li> <li>▪ historic landscape character records;</li> <li>▪ the relevant Historic Environment Record(s), and similar sources of information;</li> </ul>	<p>The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The results of the assessments, including setting in the context of Historic Seascape Characterisation (HSC), are detailed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and are summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068).</p>

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		<ul style="list-style-type: none"> <li>representations made by interested parties during the examination process; expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.</li> </ul>	<p>The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p>
	EN-1 5.9.23	The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.	Listed Buildings, Conservation Areas and Scheduled Monuments are considered within the onshore assessment comprising ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), DBA (APP-180 to APP-187) and Heritage Statement (APP-188). ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project and no potentially significant indirect impacts have been identified for designated heritage assets.
	EN-1 5.9.24	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	The assessments presented in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) have regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.
	EN-1 5.9.25 – 5.9.26	<p>The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.</p> <p>The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>Positive contributions to knowledge and understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming relevant Method Statements, which will consider relevant research frameworks to reflect and enhance the ongoing research in the area.</p> <p>The nature of the proposals does not offer opportunities for the direct enhancement of known heritage assets. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The scheme includes embedded mitigation in the form of screen planting around the OnSS that will screen the proposals and remove any operational impact to the setting of nearby heritage assets. This includes the OLEMS (APP-284) that sets out several high quality design measures, which includes mitigation planting.</p>
	EN-1 5.9.27 – 5.9.30	<p>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.</p> <p>The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.</p>	No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. Archaeological Exclusion Zones (AEZs) (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see the Outline Marine Archaeological WSI (APP-282)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined

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		<p>Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.</p> <p>Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and WHS, should be wholly exceptional.</p>	<p>in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>With regards to onshore receptors, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains will be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	<p>EN-1 5.9.31</p>	<p>Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</p> <ul style="list-style-type: none"> <li>▪ the nature of the heritage asset prevents all reasonable uses of the site;</li> <li>▪ no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;</li> <li>▪ conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;</li> </ul> <p>the harm or loss is outweighed by the benefit of bringing the site back into use.</p>	<p>No cases have been identified where substantial harm to the heritage significance or total loss of significance of a designated heritage asset would arise</p> <p>As for onshore, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains would be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as temporary apart from indirect impacts to identified receptors where setting change caused by the proposed OnSS will affect the overall significance/importance of an asset. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	<p>EN-1 5.9.32</p>	<p>Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.</p>	<p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	<p>EN-1 5.9.33</p>	<p>In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (APP-282). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>In terms of onshore archaeology, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets.</p>
	<p>EN-1 5.9.34</p>	<p>Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site</p>	<p>The contribution of different elements of area designations has been considered within the assessment within Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p>

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		should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32 as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	<p>The contribution of different elements of a conservation area have been considered within the assessment, with no impact having been concluded by the Project.</p> <p>The Heritage Statement identifies the presence/absence of Conservation Areas within the Order Limits and a search area of up to 5km. It then assesses the potential for adverse effects/harm to Conservation Areas through setting change. Where necessary and possible, special regard to preserving or enhancing the character of a Conservation Area has been referenced through embedded design mitigation. The implementation of embedded mitigation is referenced within the proposed planting set out within LVIA Chapter 28 (APP-083). The avoidance of construction traffic through relevant Conservation Areas is set out within the Outline Construction Traffic Management Plan (CTMP) (APP-289).</p> <p>No harm to Conservation Areas is predicted with the nearest conservation area over 500m outside the Order limits. There are no World Heritage sites within the assessment study area.</p>
	EN-1 5.9.35	Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision.	<p>All known wreck sites, their archaeological significance, condition, and vulnerability, where known, is described in Section 3 of Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167)</p> <p>With regards to onshore archaeology, the heritage assets and any potential effects on these are set out in Volume 3, Appendix 20.1: Onshore Archaeology and Cultural Heritage Desk-Based Assessment (APP-180 to APP-187).</p>
	EN-1 5.9.36	When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	<p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The Project has proposed several mitigation measures to mitigate effects which include the measures set out in the OLEMS (APP-284) which sets out several high quality design measures, including mitigation planting.</p>
<b>EN-1 Part 5.10: Landscape and visual</b>			
Landscape and Visual	EN-1 5.10.1	The landscape and visual effects of energy projects will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development. In this context, references to landscape should be taken as covering seascape and townscape.	<p>Landscape and visual effects are assessed within Chapter 17 Seascape, Landscape and Visual (APP-072) (offshore) and Chapter 28 Landscape and Visual Assessment (APP-083) (onshore).</p> <p>Landscape and visual effects were also considered from the onset of the Project, in which the site selection and design approach was subject to an iterative process, meaning the most sensitive locations and receptors have been avoided. In addition, the Project has proposed several mitigation measures to mitigate effects, which includes the measures set out in the OLEMS (APP-284).</p> <p>ES Chapter 17 (APP-072) comprises the assessment of potential impacts of the Project on seascape, landscape, and visual impact assessment (SLVIA) receptors. The potential impacts from the Project on SLVIA receptors are from the array area (WTGs and Offshore Platforms) and the ORCPs within the ECC.</p> <p>Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascape character. Due to the distance of the offshore array from the coast, the Array Area of the Project will be mostly not visible to those onshore and only present in the offshore environment.</p> <p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072) presents an assessment of likely significant effects of the Project on landscape character areas (LCAs). The Project has been designed</p>
	EN-1 5.10.4 – 5.10.6	<p>Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.</p> <p>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.</p> <p>Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.</p>	

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			<p>so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advice will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts on landscape and visual receptors that will arise as a result of the construction and operational phases of the onshore components of the Project.</p> <p>The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out several high quality design measures and embedded mitigation measures, including mitigation planting.</p>
	EN-1 5.10.7 – 5.10.9	<p>National Parks, the Broads and AONBs have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints. For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be designed sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> <p>The Secretary of State has a duty of to have regard to the statutory purposes of National Parks and AONBs in Wales when making decisions about development schemes within England which affect designated landscapes in Wales. Similar regard should also be had in relation to schemes in England which have impacts on National Parks and National Scenic Areas in Scotland.</p>	<p>There are nationally designated landscapes within the Seascape, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascape, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p> <p>As referred to in Section 17.3 of Chapter 17 Seascape, Landscape and Visual (APP-072) comments have been received from NE in April 2023 in relation to the SLVIA scope. These comments set out that NE agree that potential effects resulting from elements of the Project in the Array area are likely to result in limited effects on landscape and visual receptors, including the designated/defined landscape at Spurn Head and the Norfolk Coast AONB.</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies out with the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, the Project is considered to be in accordance with paragraphs 5.9.7, 5.9.8 and 5.9.9 of NPS EN-1.</p>

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	EN-1 5.10.10 – 5.10.15	<p>Heritage Coasts are defined areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.</p> <p>Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area.</p> <p>Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p> <p>All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.</p>	<p>The potential for the Project to impact upon Heritage Coasts has been considered in Section 17.7 of Chapter 17 Seascape, Landscape and Visual Impact Assessment (APP-072).</p> <p>In relation to landscape receptors, the principal visual receptors are found along the closest section of coastlines between Donna Nook to Gibraltar Point Naturalistic Coast Landscape Character Area (LCA). This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced</p> <p>The SLVIA concludes that there are predicted moderate effects on the Donna Nook to Gibraltar Point Naturalistic Coast LCA. However, on balance these are not considered to be significant.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. At other viewpoints along the coastline the effects would be reduced due to a combination of the intervening distance and or the context of the baseline built environment, where the viewpoint is located within a settlement. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK’s renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p>
Applicant Assessment	EN-1 5.10.16 – 5.10.18	<p>The Applicant should carry out a landscape and visual impact assessment and report it in the ES, including Cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues.</p> <p>The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The Applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</p> <p>For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.</p>	<p>The Applicant has provided a seascape, landscape and visual impact assessment (SLVIA) of the offshore elements of the Project as well as a landscape and visual impact assessment (LVIA), of the onshore elements. These are included within the ES within ES Chapter 17 Seascape Landscape and Visual (APP-072) and ES Chapter 28 Landscape and Visual Impact Assessment (APP-083) respectively.</p> <p>The assessments have been undertaken in accordance with the Landscape Institute and IEMA (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), and other best practice guidance. The methodology used to undertake the SLVIA is set out in full in Appendix 17.1 (APP-174) with the LVIA methodology provided in Section 6 of the ES LVIA Chapter. Both assessments consider cumulative impacts</p>

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			<p>The LVIA has been undertaken with reference to published landscape character assessments associated studies and relevant policies for the study area are referred to in section 7.2 of the LVIA chapter.</p> <p>Section 17.7 of the SLVIA chapter takes into account the relevant landscape and seascape character assessments, and associated relevant policies based on these.</p>
	<p>EN-1: 5.10.19</p>	<p>The Applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised incorporated into the design, delivery and operation of the scheme</p>	<p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the Project throughout the pre-application process and will continue to be applied. ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted. The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. With regards careful design offshore, the WTGs and other infrastructure have been sited, as far as reasonably practical, to avoid and minimise significant effects on designated sites</p> <p>The Project has made a number of commitments to reduce and minimise the onshore impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</p>
	<p>EN-1 5.10.20</p>	<p>The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas’.</p>	<p>To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character has been undertaken for both seascapes, with regards the offshore WTGs and other offshore infrastructure see Chapter 17 Seascape, Landscape and Visual (APP-072) and landscape with regards the OnSS Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>There are no offshore effects on landscape components as a result of the offshore infrastructure of the Project. There are however potential effects on seascape components of landscape character, and perceived character of landscape designations and these are assessed in Section 17.7 of the SLVIA chapter (APP-072). For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The landscape and visual effects resulting from the onshore elements of the Project during construction and operation are assessed in section 7.2 and section 7.3 of the LVIA chapter respectively (APP-083).</p> <p>There will be significant effects on the local landscape character around the OnSS during the construction phase, extending up to a maximum range of 1.6km, due to the presence and influence of the construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 15-year period due to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The onshore programme for decommissioning is expected to be similar to that of the construction phase.</p>

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			<p>As noted in the response to NPS EN-1 5.10.7 to 5.10.9, there are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project, except .</p> <p>The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p>
	EN-1 5.10.21	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	<p>Both assessments have assessed the visual impacts of the Project</p> <p>The visual effects of the offshore elements of the Project during construction and operation, are addressed in Section 17.7 of the ES SLVIA Chapter (APP-072). There is the potential for significant effect during the construction phase on visual receptors on the closest parts of undeveloped sections of the coastline, primarily with the construction of the ORCP due to their proximity to parts of the Lincolnshire coastline. These effects are associated with the closest onshore visual receptors to the ORCPs. During the operational phase the ORCP are predicted to have significant impacts on the closest parts of undeveloped sections of the coastline. Within the decommissioning phase the effects are expected to be no greater than the construction. Therefore, the array area infrastructure is predicted to have a significant effect, and the ORCP will have a potential significant effect.</p> <p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in Section 17.7 of the SLVIA</p> <p>The onshore LVIA (APP-083) concludes that during the construction phase, visual amenity will be significantly affected for people in the local area around the OnSS, extending up to a maximum range of 1.3km due to the presence and influence of construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 5 to 15-year period owing to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p> <p>Significant cumulative effects will occur on local residents and road-users during the construction of the 400kV cable corridor and the National Grid Substation. There will also be significant cumulative effects during the construction and operational phases on three representative viewpoints owing to the cumulative interaction between the OnSS and an Anaerobic Digestion Plant, and on two viewpoints owing to the cumulative interaction between the OnSS, application stage Anaerobic Digestion Plant and the National Grid Substation. All significant effects will be reduced to not significant during a 5 to 15 year period during which mitigation planting will grow to create an effective screen around the OnSS.</p>
	EN-1 5.10.22	The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	<p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in the SLVIA</p> <p>The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.10.23	Applicants are expected to justify BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower explaining why the application of modern hybrid cooling technology or other technologies is not reasonably practicable.	The Project does not propose the infrastructure outlined within Paragraph 5.10.23 of EN-1.
	EN-1 5.10.24	Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.	An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project. The proposed mitigation planting for the OnSS comprises a framework of bands of planting that connect to form an effective screen, as well as a network of corridors for nature. The bands of planting comprise woodland belts where possible, and hedgerows where restrictions over, or under cables apply. The bands of planting are mostly located along field boundaries or along roadsides.
	EN-1 5.10.25	In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.	Baseline Offshore Windfarms (OWFs) are referenced in Section 17.4 and Section 17.8 of the SLVIA Chapter (APP-072),
Mitigation	EN-1 5.10.26 – 5.10.28	<p>Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.</p> <p>Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.</p> <p>Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.</p>	<p>The Applicant has sought to minimise adverse visual and landscape effects wherever practicable, consideration for these effects have informed the Applicant’s site selection decisions as discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059), and mitigation measures proposed, such as those proposed in Chapter 29 Landscape and Visual Impact Assessment (APP-083) and Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072)..</p> <p>The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>For the onshore elements of the Project, effects on Landscape and Visual receptors are assessed in APP-083. Mitigation planting has been proposed off-site (within the order limits) that reduces the Project’s long term visual impact of the Onshore substation to non-significant after 15 years (and in some cases in as low as 5 and years).</p> <p>The Applicant submitted a Design Approach Document (APP-292) into the Examination which sets out the Applicant’s commitment to undertaking a design review process which was initiated in January 2024. A Design Principles Statement (APP-293) was also submitted and outlines the Project commitments relevant to design, these are secured through requirement 9 of the draft DCO., The Applicant has committed to updating this document throughout the examination as the design review process progresses. The Design Review has included presenting visualisations of alternative colours and roof shapes and with a review of material options.</p> <p>The Project’s landscaping proposals are contained within and secured through the OLEMS (APP-284).</p>
Secretary of State decision making	EN-1 5.10.29 – 5.10.30	The Secretary of State should take into consideration the level of detailed design which the Applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals.	As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.</p>	<p>whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The Project design process has undergone various iterations, involving early engagement with stakeholders, communities, and landowners to seek input to refine the key elements of the Project. Consultation on refinements to the Project’s sites’ selection including alternatives, the route, layout and configuration have been undertaken through informal and formal consultation, and bilateral engagement with individual stakeholders. Feedback received has been taken into consideration throughout, via a range of means including and can be found in the Consultation Report (APP-032).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>The capacity of the landscape to accommodate the onshore elements of the Project is assessed in relation to the natural screening afforded by landform, woodlands and trees and the degree to which other surrounding infrastructure and buildings influence visual screening.</p> <p>As screening is limited in this landscape, especially in respect of the Surfleet Marsh OnSS the approach has been to locate the onshore ECC, 400kV cable corridor and the OnSS as far detached as possible from nearby settlements primarily, but also from roads and PRowWs.</p> <p>The close proximity of existing electricity overhead lines to the Surfleet Marsh OnSS provides a context of electrical infrastructure across the local and wider landscapes. There is also a more distant influence from the Spalding Energy Facility, located to the south of the Surfleet Marsh OnSS. This context was considered in site selection and aligning with it is also considered to be embedded mitigation</p> <p>The Project has also adopted a Maximum Design Scenario approach as detailed within Chapter 3 Project Description (APP-058) to assess the greatest potential for change across each impact assessed, such that the design of the Project can assess impact on a “worst case scenario” and best avoid significant impact..</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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	EN-1 5.10.32	<p>When considering applications for development within National Parks, the Broads and AONB the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> <li>▪ the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;</li> <li>▪ the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3; and</li> </ul> <p>any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p>	The Project is not located in a designated landscape.
	EN-1 5.10.33	For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	
	EN-1 5.10.34	The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.	<p>There are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascope, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project. For ORCPs only, the ES concludes potential significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascope Landscape and Visual Impact Assessment (APP-072).</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p>
	EN-1 5.10.35	The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascope character. Due to the distance of the offshore array from the coast, the development will be mostly not visible to those onshore and only present in the offshore environment. This is reflected in the findings of the SLVIA Chapter (APP-072) as summarised below:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>In relation to landscape receptors, the key consideration is potential Donna Nook to Gibraltar Point Naturalistic Coast LCA. This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As outlined in Chapter 28 of the ES localised effects on the Surfleet and Gosberton Marsh LLCA within which the OnSS will be located have been identified, however Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance. The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, like the Project which is critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development.</p>
	EN-1 5.10.36	In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	<p>Refer to comments for Paragraph 5.10.34.</p> <p>Where the seascape, landscape and visual impacts of the Project are temporary or reversible, this is set out in Section 17.7 of the SLVIA Chapter (APP-072), The LVIA</p>
	EN-1 5.10.37	The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	<p>A summary of how the Applicant has carefully approached the design of the Project is provided in the response to NPS EN-1 5.10.29 – 5.10.30, with further detail provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p>
	EN-1 5.10.38	The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	The draft DCO (APP-303) includes requirements that the Applicant has considered appropriate to secure the various commitments made including Requirement 9 which requires the Applicant to submit detailed onshore design parameters to the relevant planning authority for approval prior to construction and

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Requirement 10 which requires the submission of a written landscape management plan in accordance with the OLEMS submitted (APP-284)
<b>EN-1 Part 5.11: Land use including open space, green infrastructure, and Green Belt</b>			
Land Use, Including Open Space, Green Infrastructure, and Green Belt	EN-1 5.11.1 – 5.11.2	<p>An energy infrastructure project will have a direct effect on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development. Given the likely locations of energy infrastructure projects there may be particular effects on open space including green and blue infrastructure.</p> <p>Green Belts, defined in a local authority’s development plan in England or regional strategic development plans in Wales, are situated around certain cities and large built-up areas. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. For further information on the purposes of Green Belt policy see Chapter 13 Marine and Intertidal Archaeology of the NPPF, or any successor to it.</p>	<p>Open spaces, sports and recreational facilities have been considered in Chapter 25 Land Use (APP-080).</p> <p>The Project has undergone an iterative site selection process which has involved environmental and engineering considerations in collaboration with feedback obtained through consultation. Throughout the design process, the Project has minimised the permanent loss of land as far as practicable, alongside measures embedded to reinstate the temporarily impacted land to its original use, following the completion of the construction works. Through sensitive site selection and design the Project has minimised interaction with open spaces and green infrastructure. Land use is heavily agricultural and lacks open spaces which could be used for outdoor recreation.</p> <p>Whilst the Project interacts with Public Rights of Way the interaction will be managed through the Public Access Management Plan (PAMP) that will be submitted to the local highway authority and will accord with the principles set out in the outline PAMP (APP-291) which establishes the principles for management of PRoWs.</p> <p>In addition, the Project does not involve the loss or erosion of green belt land as no part of the Project falls within Green Belt areas and is therefore compliant with Paragraphs 5.11.1-5.11.2.</p>
	EN-1 5.11.3 – 5.11.4	<p>Although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure.</p> <p>Development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Indirect impacts may also arise from changes in the local water regime, organic matter content, soil biodiversity and soil process.</p>	<p>Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078)</p> <p>Details on existing or proposed land uses and new developments or proposed projects are assessed for potential Cumulative impacts in Chapter 25 Land Use (APP-080).</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system.</p> <p>Chapter 23 Geology and Ground Conditions (APP-078) concludes that there will be no significant impact to soil resources. This is as a result of the mitigation/best practice techniques outlined in the Outline Soil Management Plan (APP-271) which provides details of mitigation measures and best practice handling techniques to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement during the construction of the onshore infrastructure.</p>
	EN-1 5.11.5 – 5.11.6	<p>Where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum.</p> <p>The government’s policy is to ensure there is adequate provision of high-quality open space and sports and recreation facilities to meet the needs of local communities.</p>	<p>Pre-existing conditions including contamination are considered within Section 23.4.3 of Chapter 23 Geology and Ground Conditions (APP-078). The Project proposes several measures to ensure pre-existing conditions do not result in the occurrence of significant adverse effects. This includes the preparation of the Outline Soil Management Plan (APP-271) which outlines an approach to dealing with pre-existing conditions and monitoring. The code of construction practice (APP-268) will set out procedures to be followed should sources of contamination (e.g., buried asbestos) be discovered during construction phase works. If unexpected contamination is encountered or suspected, the works would cease in that</p>

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		Connecting people with open spaces, sports and recreational facilities all help to underpin people's quality of life and have a vital role to play in promoting healthy living.	<p>area and assessment by a suitably qualified land contamination specialist would be made to determine appropriate actions</p> <p>Regarding open space and sports and recreation facilities, where practically possible, these sensitive areas have been avoided through the iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>The Country Park r would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor's predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use were not considered to be significant, particularly with regards to several receptors where impacts can be entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p>
	EN-1 5.11.7	Green and blue infrastructure can also enable developments to provide positive environmental, social, health and economic benefits. Green infrastructure includes green space such as parks and woodlands but also other environmental features such as street trees, hedgerows and green walls and roofs. It also includes blue infrastructure such as canals, rivers, streams, ponds lakes and their borders. Well designed and managed green and blue infrastructure provides multiple benefits at a range of scales. It can contribute to biodiversity recovery, sequester carbon, absorb surface water, cleanse pollutants, absorb noise and reduce high temperatures. The Green Infrastructure Framework – Principles and Standards for England can be used to consider green infrastructure in development and plan for good quality and targeted creation or improvement.	<p>The Applicant has committed to mitigation/compensatory measures to enhance biodiversity and enhance green and blue infrastructure. This includes the OLEMS (APP-290) that sets out high quality design measures that will also deliver biodiversity enhancements at the same time, which includes mitigation planting. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p> <p>The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes</p>
Applicant Assessment	EN-1 5.11.8	The ES (see Section 4.3) should identify existing and proposed land uses near the Project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, The Applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	<p>Detail on existing or proposed Land Uses can be found in Chapter 25 Land Use (APP-080) which provides a detailed account of the surrounding land uses, and the potential impacts associated with the Project during the construction, operation, and decommissioning phases.</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The Order Limits are also frequently crossed by Public Rights of Way (PRoWs), utilities, ecological designations, agri-environmental schemes and various outdoor areas of land with potential recreational purposes, such as a Country Park or Common Land.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>During the construction phase, there are no significant residual effects associated with land use when accounting for the embedded measures of mitigation, such as the CoCP, SMP, and Public Access Management Plan (PAMP) (APP-291). Minor adverse effects on agricultural productivity and land holdings were identified, but no significant adverse residual effects were observed, through a combination of the temporary and phased nature of the impacts, as well as the integration of management plans which proved instrumental in mitigating these impacts.</p> <p>Additionally, impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use were either negligible or minor adverse, with no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>During the operation and maintenance phase, two impacts have been identified, one is not significant, however, one effect concerning the permanent loss of local agricultural land as a result of the OnSS, link boxes, and associated ancillary infrastructure is of residual major adverse effect after mitigation. Chapter 25 Land Use (APP-080) has considered potential future development and identified an application for the siting of static caravans, which has been considered within the assessment.</p>
	EN-1  5.11.9 – 5.11.10	Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport, or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicants should refer to the Green Infrastructure Framework. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	<p>Consultation is a key part of the DCO application process. Consultation regarding Land Use has been conducted via:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Technical Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (including Phase 2 Consultation, Autumn Consultation and Targeted Winter Consultation)</li> </ul> <p>An overview of the Project's consultation process is presented within ES Chapter 6 Technical Consultation (APP-061) and the Consultation Report (APP-032).</p>
	EN-1  5.11.11	During any pre-application discussions with The Applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	<p>The Project has been subject to extensive pre-application discussions with the LPAs, with those which are relevant to Land Use impacts outlined in Section 25.3 of Chapter 25 Land Use (APP-080) which includes how the key issues from the Scoping Opinion have been addressed. The related policy and legislation, including the local development plans, have been outlined in section 25.2, whilst land use assessment has been undertaken in Section 25.7 of Chapter 25.</p> <p>Routing and siting considerations that are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p>
	EN-1  5.11.12 – 5.11.13	Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	<p>The effects of onshore infrastructure associated with the Project on agricultural land are considered in Section 25.7 of Chapter 25 Land Use (APP-080).</p> <p>Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within</p>

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		Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed.	southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.  The effect on soil quality has been assessed in Chapter 23 Geology and Ground Conditions (APP-078).  An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.  Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.
	EN-1  5.11.14- 5.11.15	Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	
	EN-1  5.11.16 – 5.11.18	Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.	As presented in the Consultation Report (APP-032), the Evidence Plan Process Consultation (APP-149) and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA.  Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078).
	EN-1  5.11.19	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	The effect on mineral resources has been assessed in Chapter 23 Geology and Ground Conditions (APP-078). As noted in the baseline section of ES Chapter 23 Geology and Ground Conditions (APP-078), the study area does not overlie areas of minerals safeguarded by Lincolnshire County Council. A search of the Lincolnshire County Council planning website has not shown any extant planning permissions for mineral extraction in these areas. Published information indicates that in this region the deposits are widespread. Deposits further north within similar geologies have been quarried, however within the study area deposits have not been quarried or mined on any significant scale are unlikely to be of economic value. It is considered that the construction of the onshore ECC and proposed OnSS location will not lead to sterilisation of mineral resources.

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	EN-1 5.11.20	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.11.36 below).	The Project is not located within any Green Belts.
	EN-1 5.11.21	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria on such developments in Green Belts.	
	EN-1 5.11.22	Moreover, an applicant may be able to demonstrate that particular energy infrastructure, such as an underground pipeline, may be considered an “engineering operation” and regarded as not inappropriate in Green Belt. This is provided it preserves the openness of the Green Belt and does not conflict with the purposes of Green Belt designation. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line in a particular location would not have so harmful an impact as to conflict with the purposes of Green Belt designation, or with other protections of rural landscape	
Mitigation	EN-1 5.11.23	Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the Project and the protection of soils during construction.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and, where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p> <p>An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.</p> <p>Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>With regard to use of agricultural land, the Project has been designed to minimise the impacts on agricultural land by aligning the ECC route along field boundaries to avoid fracturing land parcels and excess land take. The Project has also chosen the route north of the A52, which has led to the avoidance of higher graded agricultural land.</p> <p>Soils will be handled using the measures outlined in the outline SMP to allow them to maintain the same quality, which will be reinstated following construction. As the land will be reinstated to the previous quality following the construction phase, it is expected that the following sowing season would return to the same levels of agricultural productivity.</p> <p>When considering the temporary nature of the impact and the reinstatement of the soils, therefore the agricultural land itself, to the same standard, significant effects on agricultural land are not predicted to occur.</p> <p>The OnSS is located in best and most versatile (BMV) agricultural land. Rather than introducing woodland blocks or belts, as part of the landscape mitigation and ecological compensation and enhancement proposals, that would occupy fields or fragment fields and make them unusable for farming, the containment of planting along the field boundaries would minimise the disruption and enable farming to continue across most of the land surrounding the OnSS. Furthermore, the belts of woodland planting will create shelter from the winds that affect this exposed landscape and in so doing may help increase crop productivity.</p> <p>Although loss of agricultural land is minimised, the permanent loss of BMV agricultural land due to the combined effect of the OnSS and the link boxes is considered to be major (significant) in EIA terms.</p>
	EN-1 5.11.24 – 5.11.26	<p>Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes.</p> <p>The Secretary of State should also consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility.</p> <p>Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.</p>	<p>This policy has guided the consideration of embedded mitigation and ensured that the Project does not affect green infrastructure in a meaningful way.</p> <p>The Applicant has primarily sought to avoid adverse effects on green infrastructure through consideration of routing, siting and scheme design. Where there remains interaction with green infrastructure, this is predominantly via works that could potentially disrupt the PRoW network or public use of the beach area. Specifically coastal access routes and public rights of way are to be managed through the implementation of the PAMP (APP-291), a final version of which will need to be approved under DCO Requirement 18, Code of Construction Practice), such that the routes will be maintained within minimum disruption, and connectivity will be maintained.</p>
	EN-1 5.11.27	Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The Applicant should assess the impacts on, and loss of, all trees and woodlands within the Project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of	ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) illustrates how direct impacts on designated sites have been avoided through project design. Also, how blocks of woodland are avoided and the loss of individual trees and hedgerows has been minimised.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.</p>	<p>Embedded mitigation measures are provided in Section 21.7 of Chapter 21 Onshore Ecology (APP-076) which account for retention of existing trees and woodland. For example, in order to mitigate the risk of loss of, or damage to veteran trees, the detailed design of the Project will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. As part of the pre-commencement surveys, any veteran or ancient trees would be identified. The Root Protection Areas (RPAs) of all retained trees and woodland would be determined by arboriculture survey. The outer extent of the RPA would be demarcated, prior to commencement of works, by fencing of a specification capable of excluding construction machinery, equipment and personnel from these areas.</p> <p>No trees will be removed for temporary access and efforts will be made to further reduce the number of trees lost through micro-siting wherever possible. Where trees are removed, they will not be replaced in situ for operational reasons (i.e. because access to the cables is required). Compensation for the loss of trees along the route will also be provided by the proposed screening planting at the OnSS (as set out in the OLEMS (APP-284).</p> <p>This is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302), which outlines the commitment of the Project to adopting Biodiversity Net Gain using the latest metric.</p>
	EN-1 5.11.28	<p>Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	<p>The Project does not overlie or result in any adverse impacts to an MSA, as confirmed within Chapter 23 Geology and Ground Conditions (APP-078).</p>
	EN-1 5.11.29	<p>Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas</p>	<p>As noted in the response to NPS EN-1 5.11.19 and confirmed in Chapter 25 Land Use (APP-080), The Project will have no long-term effects on land use.</p>
	EN-1 5.11.30 – 5.11.31	<p>Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.</p> <p>The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent.</p>	<p>Several long-distance routes and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however no public rights of ways will be closed temporarily without offering a diversion or alternative route as detailed in the Outline PAMP (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p> <p>ES Chapter 27 Traffic and Transport (APP-082) comprises the assessment of potential impacts of the Project on traffic and transport receptors, including users of Public Rights of Way (PRoW). Users of PRoW impacted by the Project's construction were assessed, identifying significant effects on specific PRoW during summer as a worst case scenario and due to shared routes with construction traffic. The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>The impacts upon outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use have been assessed in Chapter 25 Land Use and are not predicted to be significant,</p>

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			<p>particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>ES Chapter 29 Socio-Economic Characteristics (APP-084) specifically considers impacts upon recreational users of the Macmillan Way, given this long distance walking route represents a tourism and recreation asset. The Macmillan Way is a long-distance walking route that overs 290 miles and uses existing footpaths bridleways and byways. It is used for sponsored walks, with funds raised donated to Macmillan Cancer Support. The assessment references the LVIA (APP-083) noting changes in landscape along part of the route are likely to have only a minor influence on the ability of the Macmillan Way to attract users and will have no influence in its ability to accommodate users. As such, the impact of the Project upon users of the Macmillan Way is not considered to be significant.</p>
Secretary of State decision making	EN-1 5.11.32 – 5.11.33	<p>The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the Project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by The Applicant to provide new, improved or compensatory land or facilities.</p> <p>The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.</p>	<p>Detail on existing or proposed outdoor recreational land can be found in Section 25.5 of Chapter 25 Land Use (APP-080) and is assessed in Section 25.7 of the chapter. The majority of the onshore ECC and OnSS are located on agricultural land. There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>This receptor would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor's predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use are assessed within Chapter 25 Land Use (APP-080), which has predicted no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>Table 25.19 of Chapter 25 sets out embedded mitigation included the careful site selection which will ensure sensitive regions and areas of value, like playing fields will not be lost as a result of the Project.</p>
	EN-1 5.11.34	<p>The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p>	<p>The effects of Onshore infrastructure associated with the Project on agricultural land and agricultural holdings are considered in Section 25.7 of Chapter 25 Land Use (APP-080). The response to NPS EN-1 5.11.23 sets out how impacts on best and most versatile land have been minimised through site selection and mitigation and the resulting levels of impact. Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification</p>

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			process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.
	EN-1 5.11.35	In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	The Project has avoided meaningful interaction with open space such as coastal recreation sites. This is outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) in which the Project has undergone an iterative site selection process and has committed to trenchless drilling to minimise the extent of direct interaction with coastal features. This is secured by a requirement within the DCO. Whilst some temporary interaction with public rights of way is unavoidable, these interactions will be managed through the implementation of a PAMP, drafted in accordance with the principles and protocols set out in the Outline PAMP (APP-291) which comprises several mitigation measures that will ensure no effects on such amenity are significant.
	EN-1 5.11.36 – 5.11.37	When located in the Green Belt, energy infrastructure projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances. Very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources.	The Project does not interact with areas designated as Green belt and so has no impact on the Green Belt.
	EN-1 5.11.38 & 5.11.40	In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach.  Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process.	
<b>EN-1 Part 5.12: Noise and Vibration</b>			
Noise and Vibration	EN-1 5.12.1 – 5.12.2	Excessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality.  The Government's policy on noise is set out in the Noise Policy Statement for England.	Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which has enabled the Project to be assessed against the principal aims of the NPSE which is referenced here.

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		It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to the assessment of impacts of vibration.	
	EN-1 5.12.4	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production.	<p>In terms of impacts on fish and shellfish, a full underwater assessment on receptors is provided within Chapter 10 Fish and Shellfish Ecology (APP-065) and in respect of marine mammals this is set out within Chapter 11 Marine Mammals (APP-066).</p> <p>A piling MMMP will be developed and implemented during construction, following the principles set out in the Outline Marine Mammal Mitigation protocol (piling) (APP-279)) which will benefit fish and shellfish receptors in limiting noise impacts.</p> <p>Noise has been considered in respect of the onshore ecological receptors within the onshore ecology assessment with embedded mitigation set out within Section 21.7 of Chapter 21 Onshore Ecology (APP-076) and Section 22.6 of Chapter 22 Onshore Ornithology (APP-077). The embedded mitigation presented would prevent any harmful impacts as a result from noise. Section 26.7 of Chapter 26 Noise and Vibration (APP-081) has also assessed noise impacts on ecological receptors. The noise generated by all construction operations and the operational noise from the OnSS on International or National ecological sites situated near the landfall, ECC, 400kV cable corridor and OnSS have been predicted and assessed in accordance with the limits contained in AQTAG09 (Air Quality Technical Advisory Group 09), Guidance on the effects of industrial noise on wildlife, which is intended to be used to assess the potential adverse impact of sound, of an industrial and/or commercial nature on wildlife.</p> <p>The Applicant has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. The Applicant has provided an Outline Noise and Vibration Management Plan (APP-269) which sets out the noise and vibration management techniques which may (subject to the final design of the proposed Project) be implemented by the Applicant and its contractors during the construction of the onshore works.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.</p>
	EN-1 5.12.5	<p>Factors that will determine the likely noise impact of a proposed development include:</p> <ul style="list-style-type: none"> <li>▪ the inherent operational noise from the proposed development, and its characteristics</li> <li>▪ the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces)</li> <li>▪ the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality</li> <li>▪ the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species</li> </ul> <p>the potential presence of unexploded ordnance on the seabed</p>	<p>The factors listed within Paragraph 5.12.5 of EN-1 have been identified and considered in the ES assessments (and supporting appendices) within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul>
Applicant Assessment	EN-1	Where noise impacts are likely to arise from the proposed development, The Applicant should include the following in the noise assessment:	The factors listed within Paragraph 5.12.6-5.12.7 of EN-1 have been provided, where relevant, in the ES assessments (and supporting appendices) within the following chapters:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	5.12.6 – 5.12.7	<ul style="list-style-type: none"> <li>▪ a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise;</li> <li>▪ identification of noise sensitive receptors and noise sensitive areas that may be affected;</li> <li>▪ the characteristics of the existing noise environment</li> <li>▪ a prediction of how the noise environment will change with the proposed development.</li> <li>▪ in the shorter term, such as during the construction period</li> <li>▪ in the longer term, during the operating life of the infrastructure</li> <li>▪ at particular times of the day, evening, and night (and weekends) as appropriate, and at different times of year</li> <li>▪ an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life/ well-being where appropriate particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas;</li> <li>▪ if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise;</li> <li>▪ all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.</li> </ul> <p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p>	<ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>The assessment has considered all the aspects identified in paragraph 5.12.6 as set out in Sections 26.4 to 26.7 of Chapter 26 Onshore Noise and Vibration (APP-081)</p>
	EN-1 5.12.8	Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	<p>Construction and operational noise (including increased traffic levels, the use of plant and excavation works), has been assessed in Chapter 26 Noise and Vibration (APP-081). The chapter concludes construction traffic noise near the affected local road network is predicted to have a temporary minor adverse effect which is not significant under EIA Regulations with mitigation measures in place. Further to this, the Applicant has submitted an outline Code of Construction Practice (APP-268) and outline Noise and Vibration Management Plan (APP-269) which sets out the key principles and types of measures to be implemented during construction of the Project. Measures that could be implemented to mitigate noise from construction traffic on local roads include:</p> <ul style="list-style-type: none"> <li>▪ Vehicles not waiting or queuing up with engines running on the site or the public highway;</li> <li>▪ Vehicles properly maintained to comply with noise emissions standards;</li> <li>▪ Deliveries will be restricted to be within agreed working hours;</li> <li>▪ Coordination between construction phases to reduce the maximum daily construction vehicle movements, wherever practicable; and</li> <li>▪ Temporary sound barriers</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.12.9	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The assessment of operational noise, with respect to human receptors, has been undertaken in accordance with the principles in the relevant technical guidance and British Standards as outlined in Section 26.2.5 of Chapter 26 Noise and Vibration (APP-081). Noise generated by the OnSS has been predicted at the nearest residential NSRs using the March 2024 Cadna/A noise modelling software and the methodology in ISO 9613-2:1996, Acoustics – Attenuation of Sound during Propagation Outdoors, and assessed at any identified residential receptors in accordance with BS 4142:2014+A1:2019 – Methods for Rating and Assessing Industrial and Commercial Sound, whereby sound levels associated with the operation of the OnSS are compared to measured day-time and night-time background sound levels at the closest receptors.
	EN-1 5.12.10	Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e., physical design and location of development). The Applicant should consult the EA and/or the SNCB, and other relevant bodies, such as the MMO or NRW as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	The assessment of noise impacts on ecological receptors has been a point of discussion with the relevant stakeholder through the Applicant’s Evidence Plan Process (EPP). These are included in Chapter 21 Onshore Ecology (APP-076), Chapter 22 Onshore Ornithology (APP-077), Chapter 12 Offshore and Intertidal Ornithology (APP-067), Chapter 11 Marine Mammals (APP-066) and Chapter 10 Fish and Shellfish Ecology (APP-065).
	EN-1 5.12.11	In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.	A full assessment of underwater noise on fish and shellfish receptors is provided in Section 10.6 of ES Chapter 10 Fish and Shellfish Ecology (APP-065). The assessment of underwater noise impacts in-combination with other marine activities is provided in Section 10.7. ES Chapter 11 Marine Mammals (APP-066) provides an assessment of underwater noise impacts upon marine mammals and of the impacts in-combination with other marine activities.  A piling Marine Mammal Mitigation Programme (MMMP) will be developed and implemented during construction following the principles set out in the Outline MMMP (APP-278). Whilst the implementation of a MMMP is aimed at marine mammals and not at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. Embedded mitigation in relation to fish and shellfish ecology is provided in Table 10.8 of ES Chapter 10.
	EN-1 5.12.12	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	A detailed assessment of the potential impacts of Onshore Noise and Vibration from the Project is provided in ES Chapter 26 Noise and Vibration (APP-081).  The Chapter describes the scope, relevant legislation, assessment methodology, and the baseline conditions existing at the site and its surroundings. It considers any potential significant environmental effects the Project would have on this baseline environment; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed. Cumulative noise and/or vibration effects with other proposed developments that may also have an impact on the sensitive receptors close to the Project are also considered.  The Project has made a number of commitments to reduce and minimise impacts from construction noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Mitigation for reducing noise and vibration is described in Section 26.5.3 of Chapter 26 Noise and Vibration (APP-081). Additional mitigation may be required, subject to the final design, as described in the Outline Noise and Vibration Management Plan (APP-269). Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible. . Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
Mitigation	EN-1 5.12.13 – 5.12.14	<p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the Project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.</p> <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: reducing the noise generated at source and/or containing the noise generated</li> <li>▪ lay-out: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings</li> <li>▪ administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites</li> <li>▪ insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.</li> <li>▪</li> </ul>	<p>During construction, including landfall, onshore ECC, 400kV cable corridor and OnSS activities, temporary minor to major adverse noise and vibration effects are anticipated. The mitigation measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours will aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary minor adverse effects will be experienced at the identified receptors which are non-significant in terms of the EIA Regulations.</p> <p>Operational noise levels from the OnSS may result in permanent moderate adverse effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to minor adverse which are nonsignificant in terms of the EIA Regulations.</p> <p>During the decommissioning phase, anticipated noise and vibration levels during decommissioning activities are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required</p> <p>As significant noise and vibration effects are not predicted for the Project, additional mitigation is not considered necessary, or appropriate, over and above that proposed within the ES Chapters, CoCP (and associated environmental management plans including the noise and vibration management plan).</p> <p>Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303):</p> <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul>
	EN-1 5.12.15 – 5.12.16	<p>The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).</p> <p>A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government’s associated planning guidance on noise. In</p>	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project (taking into account statutory requirements like the NPPF) has undergone an iterative design and site selection process, to ensure the greatest contribution to renewable energy targets possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC, the 400kV cable corridor and OnSS.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan.</p>	<p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process. Section 3.3.3 sets out the requirement for noise attenuation within the final design of the OnSS to reduce the noise emitted from external equipment as close as possible to the source. Details of operational noise management are required to be submitted for approval prior to construction as part of the pack of final design documents, which will reflect the detailed technical specification of the actual equipment being deployed. It may be possible to procure equipment with a lower noise emission level, compared with the assumptions used for assessment, which may reduce or remove the requirement for additional mitigation.</p> <p>Section 26.2 of Chapter 26 Noise and Vibration (APP-081) provides an overview of the statutory and policy context the Project has had due regard to with respect to noise and vibration, which includes:</p> <ul style="list-style-type: none"> <li>▪ The NPSs</li> <li>▪ NPPF (also see Table 1.4 in this document)</li> <li>▪ Noise Policy Statement for England</li> <li>▪ Local Planning Policy (also see Tables 1.7 and 1.8 in this document)</li> </ul> <p>Regarding noise, the siting of the proposed OnSS has taken into account the locations of the nearest sensitive receptors and embedded measures have been proposed to avoid and mitigate effects, which are set out in Section 26.5 of Chapter 26 Noise and Vibration (APP-081). Further to this, Section 26.5.3 of Chapter 26 outlines mitigation measures that will be implemented from the construction-decommissioning stages which include the Outline Noise and Vibration Management Plan (APP-269). The measures proposed will ensure there will be no significant effects in relation to noise and vibration as confirmed within Chapter 26 Noise and Vibration (APP-081).</p>
Secretary of State decision making	EN-1  5.12.17	<p>The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</p> <ul style="list-style-type: none"> <li>▪ avoid significant adverse impacts on health and quality of life from noise;</li> <li>▪ mitigate and minimise other adverse impacts on health and quality of life from noise;</li> <li>▪ where possible, contribute to improvements to health and quality of life through the effective management and control of noise</li> </ul>	<p>Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which have enabled the Project to be assessed against the principal aims of the NPS. Appropriate mitigation and noise management and control are detailed in the Outline Noise and Vibration Management Plan (APP-269).</p> <p>During construction, potential noise and vibration effects are anticipated through measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours that aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary non-significant effects are experienced at the identified receptors.</p> <p>Unmitigated operational noise levels from the OnSS may result in significant effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to a level that is not significant.</p> <p>During the decommissioning phase, anticipated noise and vibration levels are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Project has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
	EN-1  5.12.18	When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303): <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul> No additional mitigation is therefore required; Chapter 26 Noise and Vibration (APP-081) concludes that there will be no significant effects with respect to noise and vibration following the proposed mitigation.
<b>EN-1 Part 5.13: Socio-economics</b>			
Applicant Assessment	EN-1  5.13.2 – 5.13.3	Where the Project is likely to have socio-economic impacts at local or regional levels, the Applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3).  The Applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that The Applicant can gain a better understanding of local or regional issues and opportunities.	Impacts on the region have been outlined within Chapter 29 Socio-Economic Characteristics (APP-084). The feedback from the consultation programme and members of the Expert Topic Groups, including relevant local authorities, is outlined in Chapter 29 Socio-Economic Characteristics (APP-055).  ES Chapter 29 Socio-Economic Characteristics (APP-084) comprises the assessment of potential impacts of the Project on socio-economic, tourism and recreation receptors. The assessment recognises that economic impacts will occur across a wider area than the area of the onshore export cable route and onshore substation site (OnSS). Impacts will also be centred around other areas such as the potential ports used for construction and operations. Therefore, economic impacts have been quantified across three onshore study areas. <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas. This area includes all the potential sites for onshore infrastructure construction and the possible location of the key port locations in the UK.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK.</li> </ul> Consultation regarding Socioeconomics, Tourism and Recreation has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Volume 1, Chapter 6: Technical Consultation (APP 6.1.6) and wider consultation is presented in the Consultation Report (APP-032).
	EN-1  5.13.4	The Applicant's assessment should consider all relevant socio-economic impacts, which may include: <ul style="list-style-type: none"> <li>▪ the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero;</li> </ul>	Chapter 29 Socio-Economic Characteristics (APP-084) has considered all relevant socio-economic impacts. Throughout this chapter the impacts on socioeconomics and tourism from the construction, operations and decommissioning of the Project are considered. In particular, the following impacts have been considered: <ul style="list-style-type: none"> <li>▪ Impacts on employment are considered in Section 29.8;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ the contribution to the development of low-carbon industries at the local and regional level as well as nationally;</li> <li>▪ the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities;</li> <li>▪ any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains;</li> <li>▪ effects (positive or negative) on tourism and other users of the area impacted;</li> <li>▪ the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development;</li> <li>▪ Cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Impacts on local services and social infrastructure, such as schools and health services are considered in Section 29.8;</li> <li>▪ Sustainability of jobs is considered alongside the impact on employment from the Project in Section 29.8;</li> <li>▪ The contribution to the development of low-carbon industries in each of the Study Areas is considered in Section 29.8;</li> <li>▪ The impacts on Gross Value Added (GVA) and employment include indirect/supply chain impacts, as considered in Section 29.8;</li> <li>▪ Impacts on demographics from transient workers and their implications are considered in Section 29.8;</li> <li>▪ Effects on tourism are considered in Section 29.8; and</li> <li>▪ Cumulative effects are considered in Section 29.9.</li> </ul> <p>The assessment concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction. The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms. The assessment has identified no significant impacts on social and community assets.</p> <p>The Applicant has also engaged with local schools in Lincolnshire, including attendance at the Careers Fair at John Spendluffe School, Lincolnshire (30 March 2023) and Future Fest at Peter Paine Performance Centre, Boston (5 July 2024) to promote employment opportunities within the offshore wind industry. Following consent, actions to ensure the skills and employment benefits that the Project can help deliver locally and nationally will be set out within the Supply Chain Plan required under the CfD supply chain process (Chapter 29 Socio-Economic Characteristics (APP-084)).</p>
	EN-1 5.13.5	Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	<p>A description of the existing socio-economic conditions and tourism activity is provided in the Baseline Environment section 29.4 of Chapter 29 (APP-084). The study area for the assessment considers three onshore study areas.</p> <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK</li> </ul> <p>East Lindsey Local Plan Core Strategy is considered as part of the Strategic baseline in Section 29.4.3</p>
	EN-1 5.13.6	Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	<p>Chapter 29 Socio-Economic Characteristics (APP-084) takes into account several other impacts and has been written alongside the following chapters, which are presented in Volume 1 of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 17: Seascape, Landscape and Visual (APP-072);</li> <li>▪ Chapter 18: Infrastructure and Other Marine Users (APP-073);</li> <li>▪ Chapter 25: Land Use (APP-080);</li> <li>▪ Chapter 26: Noise and Vibration (APP-081);</li> <li>▪ Chapter 27: Traffic and Transport (APP-082); and</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Chapter 28: Landscape and Visual Assessment (APP-083).</li> </ul>
	EN-1 5.13.7	Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.	The Planning Inspectorate has concurred in their Scoping Opinion (Planning Inspectorate, 2022) that the Project can scope out demographic and service demand impacts within Chapter 29 Socio-Economic Characteristics (APP-084), including long term housing/accommodation, during the Operations and Maintenance (O&M) phase.
Mitigation	EN-1 5.13.8	The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising socio-economic impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Specific mitigation relating to socio-economic impacts are contained within Section 29.6 of Chapter 29 Socio-Economic Characteristics (APP-084). The chapter confirms that the Project will take a proactive approach to mitigation and enhancement measures to maximise the positive effects of the Project and minimise any negative effects that are identified. Negative socio-economic, tourism and recreational impacts associated with the construction of the Project will be a secondary effect of other identified environmental impacts, such as those identified in the other assessment chapter of the ES (APP-055).</p> <p>The Project will consider the following measures to maximise local economic benefit:</p> <ul style="list-style-type: none"> <li>▪ Proactively engaging with local economic development stakeholders and industry groups to understand the capacity for local companies to be involved in the supply chain for the Project;</li> <li>▪ Proactively supporting Tier 1 contractors to increase their local content;</li> <li>▪ Working with local economic development stakeholders to identify any potential barriers to entry for this market and actively work towards removing these barriers</li> <li>▪ Engaging at an early stage with education and training providers to identify potential skills gaps and opportunities for collaboration;</li> <li>▪ Engaging with other developers in the area to improve opportunities for the local supply chain; and</li> <li>▪ Including reporting requirements on the level of UK content as part of the tendering process for contracts.</li> </ul>
Secretary of State decision making	EN-1 5.13.9 – 5.13.12	<p>The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by The Applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).</p> <p>The Secretary of State should consider any relevant positive provisions The Applicant has made or is proposing to make to mitigate impacts (for example through planning</p>	<p>The assessment of socio-economic, tourism and recreation effects is provided in ES Chapter 29 Socio-Economic Characteristics (APP-084) and concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction.</p> <p>The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms.</p> <p>The assessment has identified no significant impacts on social and community assets.</p>

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		<p>obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.</p> <p>The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.</p>	<p>The draft DCO (APP-303), includes a Requirement for a skills, supply chain and employment plan. Requirement 30 (Skills, supply chain and employment) provides that prior to commencement of any stage of the onshore works, a skills, supply chain and employment plan in relation to that stage must be submitted to and approved by the relevant planning authority in consultation with Lincolnshire County Council. The plan to be submitted must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with that stage of the onshore works and the means for publicising such opportunities. The approved skills, supply chain and employment plan must be implemented as approved.</p>
<b>EN-1 Part 5.14: Traffic and Transport</b>			
Traffic and Transport	EN-1 5.14.1 – 5.14.3	<p>The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects.</p> <p>Environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution as well as greenhouse gas emissions.</p> <p>Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.</p> <p>The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.6 of this NPS.</p>	<p>The transport assessment within Chapter 27 Traffic and Transport (APP-082) considers onshore impacts. The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). This approach was subsequently presented and agreed upon through the ETG process.</p> <p>A quantitative and qualitative assessment of potential traffic and transport effects associated with worst-case construction activities was conducted using methods outlined in Guidelines on the Environmental Assessment of Traffic and Movement<sup>9</sup> (GEATM), Design Manual for Roads and Bridges<sup>10</sup> (DMRB), and professional judgment. The assessment considers several social, environmental and economic impacts as listed below:</p> <ul style="list-style-type: none"> <li>▪ Driver Severance and Delay;</li> <li>▪ Community Severance;</li> <li>▪ Vulnerable Road Users and Road Safety;</li> <li>▪ Pedestrian Amenity;</li> <li>▪ Abnormal Indivisible Loads (AILs); and</li> <li>▪ Users of Public Rights of Way (PRoW).</li> </ul> <p>Section 27.6.4 sets out the embedded and applied mitigation that will be required as part of the Project. The Outline Construction Traffic Management Plan (OCTMP) (APP-289) and Outline Travel Plan (OTP) (APP-290) provide details on how traffic would be managed. Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport.</p>
Applicant Assessment	EN-1 5.14.5 – 5.14.7	<p>If a project is likely to have significant transport implications, The Applicant’s ES (see Section 4.3) should include a transport appraisal. The DfT’s Transport Analysis Guidance (TAG) and Welsh Governments WeBTAG provides guidance on modelling and assessing the impacts of transport schemes.</p> <p>National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. and applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.</p>	<p>Consideration of the construction, and decommissioning phases of the Project are set out in Chapter 27 Traffic and Transport (APP-082).</p> <p>A transport appraisal is submitted as part of Chapter 27 Traffic and Transport (APP-082). The Traffic and Transport chapter and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout.</p> <p>Consultation regarding traffic and transport has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings. Traffic and Transport was covered by the Traffic &amp; Transport, Air Quality, Noise, Health and Socio-economics ETG which included Lincolnshire County Council and National Highways.</li> <li>▪ EIA scoping process (ODOW, 2022);</li> </ul>

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		<p>The Applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The Applicant should also provide details of proposed measures to improve access by active, public, and shared transport to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need for parking associated with the proposal;</li> <li>▪ contribute to decarbonisation of the transport network; and</li> <li>▪ improve user travel options by offering genuine modal choice.</li> </ul> <p>The assessment should also consider any possible disruption to services and infrastructure (such as road, rail, and airports).</p>	<ul style="list-style-type: none"> <li>▪ Bilateral engagement with relevant stakeholders;</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project’s consultation process with reference to technical considerations is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and summarised in Consultation Report (APP-032) with detail provided in Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052). Further information on the Project’s consultation phases can be found in Section 27.3 of ES Chapter 27 which summarises consultation with National Highways, Network Rail and Highways Authorities as appropriate on the assessment and mitigation.</p> <p>The mitigation section of ES Chapter 27 sets out the embedded and applied mitigation that will be required as part of the Project. The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The Outline Construction Traffic Management Plan (APP-289) and the Outline Travel Plan (APP-290) provides a framework for promoting and encouraging a reduction in private car usage during the construction phase of the Project..</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements.</p>
	EN-1 5.14.9 – 5.14.10	<p>If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision.</p> <p>Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.</p>	<p>Chapter 27 Traffic and Transport (APP-082) concludes that the impact on the transport infrastructure is considered to be at acceptable levels in light of the proposed additional mitigation which includes the Construction Travel Management Plan (APP-289) and the Public Access Management Plan (APP-291) and therefore no additional transport infrastructure is needed or proposed.</p>
Mitigation	EN-1 5.14.11- 5.14.12	<p>Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need to travel by consolidating trips,</li> <li>▪ locate development in areas already accessible by active travel and public transport,</li> <li>▪ provide opportunities for shared mobility,</li> <li>▪ re-mode by shifting travel to a sustainable mode that is more beneficial to the network,</li> <li>▪ retime travel outside of the known peak times,</li> <li>▪ reroute to use parts of the network that are less busy.</li> </ul> <p>If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable</p>	<p>The Outline Travel Plan (OTP) (APP-290) OTP will include demand management measures to be adopted.</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements. The strategy for access has selected routes that where possible, seek to reduce the impact of traffic upon local communities. Trenchless techniques will be used underneath the railway and key roads (this will be assessed based on the importance of the road and the impacts on driver delay and the feasibility of using open trenching with single lane closures).</p> <p>The Project has committed to the construction of a temporary haul road along each open trenched section of the onshore ECC, with distinct access points to reduce construction traffic on local roads. Prioritise the use of haul roads where practicable, to minimise construction vehicles on the highway network. In particular, using the haul road to form a by-pass so that HGVs can avoid Skegness.</p>

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		alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.	
	EN-1 5.14.13 – 5.14.14	<p>Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate.</p> <p>The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> <li>▪ control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements</li> <li>▪ make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid ‘overspill’ parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions</li> </ul> <p>ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.</p>	<p>The assessment of the increases in heavy goods vehicles (HGVs) associated with the construction phase of the Project is set out in Section 27.8 of Chapter 27 Traffic and Transport (APP-082). Welfare facilities including offices and canteen and washroom facilities will be provided within the Primary Construction Compounds (PCCs) and Secondary Construction compounds (SCCs).</p> <p>Any impacts of increases in HGVs are further reduced by the types of traffic management measures that would be implemented as set out in the Outline Construction Travel Management Plan (APP-289) and mitigation such as schemes of passing places that are proposed (Annex N of the Volume 3, Appendix 27.1 (APP-229) and therefore considered to be an acceptable impact.</p> <p>The Outline CTMP (APP-289) states that no parking will be permitted on public roads and that the appropriate authorities and emergency services will be consulted regarding HGV movements during the construction of the Project.</p> <p>Routing for HGV movements is being identified, as well as proposed working hours, to minimise the impact of the Project on the surrounding highway network as per Chapter 27 Traffic and Transport (APP-082) and the CTMP (APP-289)</p> <p>The need for any permits from relevant road and bridge authorities in relation to the transportation of AILs will be obtained in advance of construction, following assessment of routes.</p> <p>The draft DCO (document 3.1) includes Requirement 21 (Traffic) that no stage of the onshore works can commence until a construction traffic management plan (in accordance with the outline construction traffic management plan) and a travel plan (in accordance with the outline travel plan) in respect of that stage have been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority. The requirement requires that the plans are implemented on commencement of the relevant stage of the onshore works.</p> <p>In addition there are DCO Requirements controlling construction hours (Requirement 19 (Construction hours)), and more general construction measures within the Code of Construction Practice (Requirement 18 (Code of construction practice)).</p>
	EN-1 5.14.15 – 5.14.17	<p>The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.</p> <p>Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their application.</p> <p>If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation</p>	<p>Section 27.6.3 of Chapter 27 Traffic and Transport (APP-082) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project, such as the Outline TP (APP-290), which will include demand management measures to be adopted to advocate sustainable patterns of travel.</p> <p>The Applicant would endeavour to identify the closest port to the Study Area for the delivery of the abnormal indivisible loads (AILs) required for the Project to minimise the movement of these on the highway network. The delivery of Special Order AILs will be small in number. The delivery route is anticipated to be between Port Sutton Bridge and the OnSS location and Surfleet Marsh.</p>

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		by the Secretary of State of any obligations or requirements needed to secure the mitigation.	An assessment of the anticipated vehicle type that would be used to transport the AIL between Port Sutton Bridge and the OnSS location is provided in Annex A of Volume 3, Appendix 27.1 Transport Assessment (APP-218).
Secretary of State decision making	EN-1 5.14.18 – 5.14.19	<p>A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.</p> <p>Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below.</p>	<p>Chapter 27 Traffic and Transport (APP-082) has considered the potential traffic and transport effects arising from onshore activities associated with the Project. Consideration has been given to potential worst-case effects arising from onshore construction and decommissioning activities based upon available information. Worst-case parameters have been adopted to provide a robust assessment.</p> <p>The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). Based on the number of the Project construction vehicles forecast in the peak hours on the highway network in the study area, a formal assessment of impacts on the division of space and people by transport and traffic delay was scoped out.</p> <p>The implications of temporary lane or road closures associated with open trenching were evaluated in terms of driver severance and delay. The assessment found no significant effects outside of the summer months, except for Marsh Road, where a short-term closure would require careful planning and communication to the public but results in negligible residual effects.</p> <p>The assessment has considered impacts of increased daily construction vehicle movements associated with the Project. The outcome of the assessment revealed no significant effects on community severance, vulnerable road users and road safety, pedestrian amenity and from dust and dirt.</p> <p>The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>Additional commitments to mitigate impacts include the use of trenchless techniques (such as horizontal direction drilling) for the installation of the export cable under a number of roads, including the main ‘A’ roads in the study area, which would not require a temporary road or lane closure. The Project has further identified a number of highway improvements such as new passing places and other widening on the local construction vehicle access routes to facilitate the required construction vehicles.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.</p>
	EN-1 5.14.20	Development consent should not be withheld provided that The Applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be	As summarised in the response to NPS En-1 5.14.18 to 5.14.19 above, following the incorporation of mitigation measures proposed by the Applicant, no significant effects have been identified in relation to

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		imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure.	traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.
	EN-1 5.14.21	The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual Cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.	The assessment for Traffic and Transport assesses the potential impacts from the increase in vehicle movements, particularly during the construction period leading to driver delay and severance. Other impacts which have been assessed include the impacts upon users of public rights of way, vulnerable road users and road safety. The assessment shows there would not be unacceptable impacts on highway safety or severe residual Cumulative impacts on the road network, and proposals are included to promote public or shared transport within the Outline TP (APP-290),  Overall, it is considered that there will be no significant effect upon Transport and Traffic receptors.
<b>EN-1 Part 5.15: Resource and Waste Management</b>			
Resource and Waste Management	EN-1 5.15.1	Government policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible and disposal is required as a last resort, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health.	As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.  The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.
	EN-1 5.15.2	Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): <ul style="list-style-type: none"> <li>▪ prevention;</li> <li>▪ preparing for reuse</li> <li>▪ recycling</li> <li>▪ other recovery, including energy recovery</li> <li>▪ disposal</li> </ul>	All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).
	EN-1 5.15.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005  In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.  The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly
	EN-1 5.15.4	All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
Applicant Assessment	EN-1 5.15.6	Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.	The proposals do not relate to energy from waste for the treatment of municipal waste and so this paragraph does not apply to the Project.

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	EN-1 5.15.7 – 5.15.8	<p>The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level.</p> <p>The Applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.</p>	<p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p>
	EN-1 5.15.9	<p>The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p>	<p>Chapter 23 Geology and Ground Conditions (APP-078) includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. The approach to managing waste is set out within the Outline Code of Construction Practice and the SWMP (APP-274). which sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit for approval.</p> <p>A key element of the detailed SWMP will be to minimise the amount of waste disposal from site by aiming to reduce, reuse waste on site or recycle. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p>
	EN-1 5.15.10 5.15.11	<p>The Applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales' and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</p> <p>If The Applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process</p>	<p>The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project with respect to waste. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>As stated within Chapter 8: Marine Water and Sediment Quality (APP-063), whilst the Project is not a dredging project it does involve a proposal to dredge, drill and dispose of seabed sediments within the draft Order Limits. Regarding disposal, The Applicant has considered the need for disposal sites as part of the updated assessment presented in the ES. Dredged material will be deposited within an area of</p>

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			similar sediment characteristics, in close proximity to the dredge location in order to retain sediment within the sediment transport system.
	EN-1  5.15.12 – 5.15.13	<p>Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources, and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p> <p>Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p>	<p>The Applicant has committed to reusing materials wherever practicable, which includes the re-use of soils that will be secured within a Soil Management Plan (APP-271) that the Applicant has committed to producing.</p> <p>The Outline Site Waste Management Plan (APP-274) confirms that wastes will be categorised and managed appropriately, with all options for reusing or recycling on-site considered prior to pursuing any off-site possibilities for reuse, recycling or ultimately for final disposal. This will be achieved through regular reviews of waste generation with the aim of improving the rate of segregation and recycling to minimise the future requirement for disposal of wastes to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them). Adequate storage arrangements for waste local to the work areas will need to be in place to prevent uncontrolled collections of waste on site occurring during the day and a suitable frequency of transfer of any gathered wastes to the main waste management area shall be maintained by contractors to prevent windblown rubbish etc.</p>
Secretary of State decision making	EN-1 5.15.14	<p>The Secretary of State should consider the extent to which The Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development.</p> <p>The Secretary of State should be satisfied that:</p> <ul style="list-style-type: none"> <li>▪ any such waste will be properly managed, both on-site and off-site.</li> <li>▪ the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area.</li> </ul> <p>adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome</p>	<p>As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).</p> <p>Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005</p> <p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage</p>

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			<p>requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p> <p>In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.</p>
	EN-1 5.15.16 – 5.15.17	Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The draft DCO (APP-303), includes Requirement 18 (Code of construction practice) which provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. This includes a site waste management plan (which accords with the outline site waste management plan). The code of construction practice must be implemented as approved.
	EN-1 5.15.18	Where the Project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
	EN-1 5.15.19	The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023.	The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project which includes consideration of waste reduction targets and resource efficiency.
<b>EN-1 Part 5.16: Water Quality and Resources</b>			
Water Quality and Resources	EN-1 5.16.1 – 5.16.2	<p>Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters.</p> <p>During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.</p>	<p>Potential impacts upon water quality and resources are considered in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) contains the assessment of the potential impacts of the Project on marine physical processes.</p> <p>The conclusions drawn from the three assessments are that there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>The Project has committed a range of mitigation measures to reduce impacts. Offshore measures include, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out.</p> <p>Onshore measures include obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, and adherence to a Pollution Prevention and Emergency Incident Response Plan.</p>
Applicant Assessment	EN-1 5.16.3	Where the Project is likely to have effects on the water environment, the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	

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			An onshore and offshore WFD assessment has been produced in Volume 3, Appendix 8.1: Water Framework Directive (APP-153) that will mitigate any adverse effects on the water environment and present any enhancement measures.
	EN-1 5.16.4	The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.	<p>Consultation regarding water quality and resources has been included within the Marine Ecology, Processes and Derogation and Compensation and Onshore Ecology, Hydrology and Ground Conditions ETGs. Consultation has been undertaken and as part of the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>European Protected Species Licensing (EPSL) is anticipated to be required for water vole, badger and GCN. The Applicant is in the process of pursuing Letters of No Impediment (LoNI) with Natural England which will subsequently be submitted to the ExA.</p>
	EN-1 5.16.5	Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g., from car parks or other areas of hard standing, during operation.	The management of surface water relates to the onshore environment and is considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079), this is supported by a Groundwater Risk Assessment (GWRA) (APP-210).
	EN-1 5.16.6	Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones - this could include, for example, the use of protective barriers.	<p>The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (: APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.</p> <p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>By incorporating these commitments no significant effects have been identified in relation to surface water quality</p>
	EN-1 5.16.7	<p>The ES should in particular describe:</p> <ul style="list-style-type: none"> <li>▪ the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;</li> <li>▪ existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance;</li> <li>▪ existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics;</li> </ul>	<p>A description of the Baseline (existing) water quality conditions is provided in Chapter 8 Marine Water and Sediment Quality (APP-063).</p> <p>Descriptions of the baseline environment are provided in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) provides a baseline description with regard to marine physical processes.</p> <p>In addition, the Chapters provide:</p> <ul style="list-style-type: none"> <li>▪ the potential environmental effects on water quality arising from the Project, based on the information gathered and the analysis and assessments undertaken to date and assess whether they are significant (in EIA terms);</li> <li>▪ any assumptions and limitations encountered in compiling the environmental information;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions;</li> <li>▪ how climate change could impact any of the above in the future; any cumulative effects</li> </ul>	<ul style="list-style-type: none"> <li>▪ any necessary monitoring and/or mitigation measures which could prevent, minimise, reduce, or offset the possible environmental effects identified at the relevant stage in the EIA process; and</li> <li>▪ Cumulative effects.</li> </ul> <p>The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).</p> <p>There will be no proposed changes or new discharges as a result of the Project. A full WFD assessment supports the DCO application, detailing the impacts on coastal and transitional waterbodies and protected areas under WFD. Potential changes to the physical environment, including hydrodynamics, waves and sediment pathways, are presented in an assessment of the physical characteristics is presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>The Baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) has been provided within: Chapter 24 Hydrology and Flood Risk (APP-079).</p>
Mitigation	EN-1 5.16.8	The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the Project application. A construction management plan may help codify mitigation at that stage.	<p>An Outline CoCP (APP-268) will be submitted as part of the DCO application. The Outline CoCP will include measures to control the potential impacts to water quality within environmental management plans that will be included within the suite of CoCP documents.</p> <p>The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.</p> <p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>With regard to water quality within the marine environment, the Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out</p>
	EN-1 5.16.9	The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	<p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>An outline Project Environment Management Plan (APP-277) is also being submitted with the DCO Application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice for offshore works.</p>

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			Therefore, deterioration to the current status of the water bodies is not anticipated and as such the Project can be considered to be in accordance with paragraph 5.16.9 of EN-1
	EN-1 5.16.10	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. If a development needs new water infrastructure, significant supplies or impacts other water supplies, the Applicant should consult with the local water company and the EA or NRW.	The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).
Secretary of State decision making	EN-1 5.16.11	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.	<p>Chapter 8 Marine Water and Sediment Quality (APP-063) confirms there are no offshore outfalls or discharges associated with the Project. However, an outline Project Environment Management Plan (APP-277) will be submitted with the DCO application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice.</p> <p>Temporary management of surface water will be required along the onshore ECC and at the OnSS during construction. An Outline Surface Water Drainage Strategy (: APP-273) has been provided as part of the Outline CoCP (APP-268). A final surface water drainage scheme will be informed by detailed design and provided as part of the final CoCP for approval by local authorities prior to construction which forms a requirement of the DCO.</p> <p>Surface water flowing into work areas and excavated trenches during the construction period will be pumped via settling tanks or ponds to remove sediment and potential contaminants, before being discharged into local ditches or drains via temporary interceptor drains. Where gradients on site are significant, cable trenches will include a hydraulic brake (bentonite or natural clay seals) to reduce flow rates along trenches and hence reduce local erosion.</p> <p>No discharge to Main River watercourses will occur without permission from Environment Agency (SuDS Manual) and no discharge to IDB maintained watercourses will occur without permission from the relevant IDB.</p>
	EN-1 5.16.12	The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	<p>The assessment of sensitivity for environmental receptors takes into consideration RBMPs and WFD status (Table 24.17) of Chapter 24 Hydrology and Flood Risk (APP-079). The chapter concludes there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>A WFD compliance assessment within Appendix 8.1: Water Framework Directive (APP-153) has also been provided to support the DCO application which provides a comprehensive assessment of the implications for WFD waterbodies.</p>
	EN-1 – 5.16.13	The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government’s Environmental Improvement Plan 2023.	<p>The Project meets the Government’s Environmental Improvement Plan by:</p> <ul style="list-style-type: none"> <li>▪ contributing significantly towards the UK’s current cumulative electricity supply deployment target for 2030, enough for approximately 500,000 households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions.</li> <li>▪ maximising resources and minimises waste.</li> <li>▪ Not causing harm to habitats identified as being of importance for the conservation of biodiversity and enhancing where possible.</li> <li>▪ Protecting water quality.</li> </ul>
	EN-1 5.16.14 - 15.16.15	The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good	WFD classifications and objectives are taken into account within Chapter 24 Hydrology and Flood Risk (APP-079). The WFD water bodies are considered receptors and are assessed against: Existing environment and Environmental assessment during construction, O&M, and decommissioning phase. A WFD Assessment is provided within Appendix 8.1: WFD (APP-153) and presents the findings of the WFD compliance assessment for the potential impacts of the Project. The purpose of this WFD compliance assessment is to demonstrate that the proposed activities associated with the Project do not result in a

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		<p>status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.</p> <p>The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans.</p>	<p>deterioration in a designated water body (or protected area) and do not jeopardise the attainment of good status (or the potential to achieve good ecological and chemical status). The assessment concludes there will be no adverse effects on the integrity of designated sites, No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>
	EN-1 5.16.16	<p>The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the Applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary</p>	<p>A standalone WFD Compliance Assessment is presented within Appendix 8.1: WFD (APP-153). Mitigation measures are presented in Section 8.5.4, and include a Project Environmental Management Plan (PEMP), Cable Specification and Installation Plan (CSIP), measures to control Invasive Non Native Species as offshore mitigation. Onshore mitigation include the CoCP, pre-construction approvals, PPEIRP, and surface water management plans The draft DCO sets out proposed requirements to secure the management plans.</p> <p>No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>

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<b>EN-1 Part 3: The need for new nationally significant energy infrastructure projects</b>			
<b>EN-1 Part 3.1: Introduction</b>			
Introduction	EN-1 3.1.1 – 3.1.2	<p>This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers the need for such infrastructure to be urgent.</p> <p>However as acknowledged within the NPS it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.</p>	<p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030.</p> <p>The Project would include up to 100 wind turbine generators (WTGs), which will be located approximately 54km off the coast of Lincolnshire, England, and create enough energy each year to power hundreds of thousands of homes. The Project will create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The accompanying ES, outlined in the Non Technical summary(APP-055), describes any likely significant effects and how the Applicant intends to avoid, prevent and reduce these where possible. However, as noted in Section 3.1.2 of EN-1 , it is not possible to develop the necessary amounts of infrastructure without some significant residual adverse impacts.</p>
<b>EN-1 Part 3.2: Secretary of State decision making</b>			
	EN-1 3.2.1	The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and Nationally Determined Contributions.	<p>Section 5 of the Planning Statement (APP-297) outlines the established need for the Project with reference to paragraphs that support such development within EN-1. The Project would deliver up to 1.5 gigawatts (GW) of offshore wind which would support the government objective of increasing supply of renewable energy.</p> <p>Paragraph 3.3.21 of EN-1 states the UK Government has an ambition to deliver up to 50 GW of offshore wind by 2030 and in this policy context, the Project would make a substantial contribution towards meeting national renewable (wind) energy targets and should be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments.</p> <p>As such, the Project accords with national energy targets and is supportive of the Government’s objectives for the energy system. The Project represents an excellent opportunity to deliver both clean energy and to meet government targets.</p>
	EN-1 3.2.2	We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	The Project will support the Government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. This is because the Project is an offshore wind farm which will support the delivery of national renewable energy. The type of energy this Project will provide (wind) is expected to play a key role in supplying renewable energy by 2050.
	EN-1 3.2.3	It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government. This is the nature of a market-based energy system. With the exception of new coal or large-scale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the Government’s ambitions in energy policy and other policy areas.	<p>Section 5 of the Planning Statement (APP-297) outlines how the Project is in line with the Government’s ambitions for the energy system.</p> <p>Paragraphs 3.3.20- 3.3.24 of NPS EN-1 show there will be a major reliance on wind (and solar) to deliver renewable energy targets to meet national demand, and the Project will play a significant role in contributing towards meeting these targets. The NPS make it clear that there is an established need for the Project and substantial emphasis should be placed on this need by the SoS.</p>
	EN-1 3.2.6	The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 includes offshore generation that does not involve fossil fuel combustion within the definition of low carbon infrastructure.

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	EN-1 3.2.7	In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.	The need for the Project is further set out in Section 5 of the Planning Statement (APP-297).  As such, the Project is considered to accord with the provisions set out in the NPS.
	EN-1 3.2.9	This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.	The Project is covered by section 15 of the Planning Act 2008 (2008 Act). This document together with the Planning Statement confirms how the policies within this NPS and the relevant technology specific NPSs have been complied with in respect of the Project.
	EN-1 3.2.10	Other novel technologies or processes may emerge during the life of this NPS and can help deliver our energy objectives. Where these contribute towards the objectives set out in paragraph 3.2.1, the Secretary of State should determine that there is a need for such technologies and that substantial weight should be given to this need.	
<b>EN-1 Part 3.3: The need for new nationally significant energy infrastructure projects— Meeting energy security and carbon reduction objectives</b>			
The need for new nationally significant electricity infrastructure	EN-1 3.3.1	Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), the Project will deliver up to 100 WTGs with a capacity of approximately 1.5 GW and make a substantial contribution to meeting the demand for greater energy produced from renewable sources, whilst mitigating unexpected risks to the UK's energy system. The wider effects of the Project upon climate change are discussed within ES Chapter 31: Climate Change (APP-086).
	EN-1 3.3.2	The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases the overall costs of the system.	The Project will support the government's objective to achieve 50GW of offshore wind by 2030. This figure was revised upward from 40GW to 50GW in the April 2022 UK Government Energy Security Strategy (BESS) which is a key aspect of the UK Government's commitment to support essential services, and the business sector, in the wake of the global pandemic.  The Project will make a substantial contribution in meeting this demand for offshore wind energy. Through the delivery of up to 100 WTGS, the project will have a capacity of approximately 1.5GW as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057).  The Planning Statement (APP-297) outlines that there is an established urgent need for developments like the Project which are considered a CNP.
	EN-1 3.3.3	To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610- 800TWh in 2050.	As noted in the responses to the paragraph 3.2.1 and 3.2.2 of the NPS above, the Project is in accordance with the NPS and a substantial emphasis should be placed on this need by the Secretary of State (SoS). As stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project will deliver up to 100 WTGS and have a capacity of approximately 1.5GW which will make a substantial contribution in meeting the government's ambition of increasing supply from renewable sources to meet increasing demands on the UK's electricity system.
The need for different types of electricity infrastructure	EN-1 3.3.4— 3.3.7	There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation.  New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply.	The Project will support the government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. As outlined within both the Planning Statement (APP-297) and ES Chapter 2: Need, Policy and Legislative Context (APP-057), the government is seeking to meet the future increasing demand through several types of renewable sources, and the Government regards offshore wind farms, like the Project as a key mechanism to achieving this target.  Therefore, there is an established need for the Project which will provide up to 100 WTG, with a capacity of approximately 1.5GW and make a makes a substantial contribution to the UK's renewable energy and energy security targets.

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		<p>Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure. However, neither of these technologies, as with demand side response, are sufficient to meet the anticipated increase in total demand, and so cannot fully replace the need for new generating capacity.</p> <p>Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other. However, they are a means of transporting electricity rather than generating or storing it, so cannot replace those other types of electricity infrastructure in meeting the substantial increase in demand expected over the coming decades.</p>	
Alternatives to new electricity infrastructure.	EN-1 3.3.8 – 3.3.12	<p>The government has considered alternatives to the need for new large-scale electricity infrastructure and concluded that these would be limited to reducing total demand for electricity through efficiency measures or through greater use of low carbon hydrogen in decarbonising the economy; reducing maximum demand through demand side response; and increasing the contribution of decentralised and smaller-scale electricity infrastructure. In addition, there are alternative ways of decarbonising heating and transportation, which are being developed alongside electrification of these sectors. Reducing total demand for energy is a key element of the government’s strategy for meeting its energy objectives and we expect that increased energy efficiency measures could lead to a reduction in final energy demand from around 1550 TWh in 2019 to around 1000 TWh in 2050. However, even with a reduction in final energy demand the share of electricity in the system is likely to increase, potentially more than doubling by 2050 (see paragraph 3.3.3).</p> <p>The precise level of electricity demand during the transition to net zero is uncertain and could be affected by alternative means of decarbonising these sectors, such as the use of low carbon hydrogen, and the pace of that decarbonisation. However, it is prudent to plan on a conservative basis to ensure that there is sufficient supply of electricity to meet demand across a wide range of future scenarios, including where the use of hydrogen is limited.</p> <p>Demand side response, such as the use of thermal stores and smart charging of electric vehicles, can shift electricity demand, reducing the maximum amount of electricity required and therefore reduce the need for additional infrastructure. However, it cannot increase the total amount of electricity generated in the UK, or reduce the total amount of electricity consumed, and so cannot fully replace the need for new generating capacity to deliver our energy objectives.</p> <p>Decentralised and community energy systems such as micro-generation contribute to our targets on reducing carbon emissions and increasing energy security. These technologies could also lead to some reduction in demand on the main generation and transmission system. However, the government does not believe they will replace the need for new large-scale electricity infrastructure to meet our energy objectives. This is because connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of</p>	<p>While it is clear that reducing demand for energy is a key Government strategy, it is noted that even by reducing this demand, the share of electricity in the system is likely to increase (potentially more than double). The Project will contribute to ensuring that there is a sufficient supply of electricity to meet demand.</p> <p>The Project would contribute to the delivery of the 30 GW of renewable energy envisaged in NPS EN-1 and the ambition to deliver 40 GW of offshore wind by 2030 as set out in the UK Government’s 2021 announcement, a figure which as noted within the Planning Statement (APP-297) was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement.</p>

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		power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere.	
Delivering affordable decarbonisation	EN-1 3.3.16	If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.	As per the responses to the NPS provisions at paragraph 3.2.1 and 3.2.2, The Project will have a capacity of approximately 1.5GW and make a substantial contribution to the delivery of renewable energy and consequently will strengthen the national energy system. Moreover, as discussed within ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) the Government cites offshore wind farms, like the Project, as key mechanisms to facilitating a transition to net zero.
	EN-1 3.3.19	Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.	As stated in the response to the NPS provisions made at paragraph 3.3.2, wind energy will play a central role in the transition towards renewable energy supply nationally, supporting net zero ambitions. .
The role of wind and solar	EN-1 3.3.20 – 3.3.21	Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar. As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50GW of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade.	The Project will have an overall capacity of approximately 1.5GW and will contribute towards meeting the government's target to deliver 50GW of offshore wind by 2030 and meet the objectives of the British Energy Security Strategy. As the Project will have a capacity in excess of 100MW it is defined as a Nationally Significant Infrastructure Project (NSIP) and the Applicant has submitted an application to the SoS for a Development Consent Order (DCO).
	EN-1 3.3.22 and 3.3.24	However it is recognised that ensuring affordable system reliability, today and in the future, means wind and solar need to be complemented with technologies which supply electricity, or reduce demand, when the wind is not blowing, or the sun does not shine.  Applications for offshore wind above 100MW or solar above 50MW in England, or 350MW for either in Wales, will continue to be defined as NSIPs, requiring consent from the Secretary of State (see EN-3).	
The need for electricity generating capacity	EN-1 3.3.58	Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	The project is a new, large scale renewable energy NSIP project that falls within the scope of NPS EN-1. The Project would help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1
	3.3.59	All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: <ul style="list-style-type: none"> <li>▪ providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type)</li> <li>▪ providing an affordable, reliable system (through the deployment of technologies with complementary characteristics)</li> </ul> ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology)	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), offshore wind developments like the Project are critical in providing a secure, reliable, affordable, net zero consistent system by 2050.  The Project would contribute to the delivery of the 50 GW of offshore wind renewable energy envisaged in the NPS EN1 as set out in the UK Government's 2022 Energy Security Statement announcement; a figure which is noted within the Planning Statement (APP-297). The Project will make a substantial contribution in achieving the government's energy objectives through the delivery of up to 100 WTGs and a capacity of approximately 1.5GW.  Furthermore, through the delivery of the above infrastructure and generating capacity, the Project will contribute to increasing national energy security. ES Chapter 31: Climate Change (APP-086) confirms that the Project will assist the UK in reducing greenhouse gas (GHG) emissions and the trajectory to net zero by 2050.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1  3.3.60 – 3.3.62	<p>Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include:</p> <ul style="list-style-type: none"> <li>▪ Offshore Wind (including floating wind)</li> <li>▪ Solar PV</li> <li>▪ Wave</li> <li>▪ Tidal Range</li> <li>▪ Tidal Stream</li> <li>▪ Pumped Hydro</li> <li>▪ Energy from Waste (including ACTs) with or without CCS</li> <li>▪ Biomass with or without CCS</li> <li>▪ Natural Gas with or without CCS</li> <li>▪ Low carbon hydrogen</li> <li>▪ Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants</li> <li>▪ Geothermal</li> </ul> <p>The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above.</p> <p>Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.</p>	<p>The Project is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. The Project meets the thresholds set out in the 2008 Act and is classified as an NSIP and as set out in paragraph 4.2.5 the Project is classified as low carbon infrastructure, therefore the Project is CNP infrastructure.</p>
	EN-1  3.3.63	<p>Subject to any legal requirements, the urgent need for CNP Infrastructure to achieve our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>▪ Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were the Project not to be developed.</li> <li>▪ Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>▪ Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>▪ Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>In terms of adverse impacts, these are discussed across the ES (APP-055). The ES has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the Project.</p> <p>Through the Habitats Regulation Assessments (HRA) process designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>Overall, the RIAA (APP-235) concludes that the Project would not undermine any of the conservation objectives for the designated sites and features. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the RIAA. As set out in the derogation case and the RIAA, the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p> <p>As demonstrated throughout the ES (APP-055), the RIAA (APP-235) and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS.</p>
The need for new electricity networks	EN-1 3.3.82 – 3.3.83	<p>The Government has committed to reduce GHG emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand.</p> <p>Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.</p>	<p>It is clear from the UK Energy White Paper that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This is reflected in the British Energy Security Strategy published in April 2022 where targets for offshore wind farm were extended to 50GW by 2023. As noted within Section 5 of the Planning Statement (APP-297), the Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise and security of supply throughout its operational life, thereby addressing important aspects of the UK’s legal obligations and Government policy.</p>

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<b>EN-1 Part 4: Assessment Principles</b>			
EN-1 Part 4.1: Assessment Principles			
General Policies and Considerations	EN-1 4.1.2 – 4.1.4	<p>The Energy White Paper and British Energy Security Strategy emphasises the importance of the government’s net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs.</p> <p>Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.</p> <p>The presumption is also subject to the provisions of the Planning Act 2008 referred to in paragraph 1.1.4 of this NPS.</p>	<p>The Project meets the requirements of the relevant NPSs therefore the presumption in favour of granting consent to energy NSIPs should apply given the urgent need for this type of infrastructure. This is because the Project will deliver up to 100 WTGS and will have a capacity of approximately 1.5GW, as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057). Moreover, as outlined within the Planning Statement (APP-297), the government cites offshore wind farms, like the Project as critical mechanisms in supporting the nation in transitioning to net zero.</p> <p>The Planning Statement (APP-297) together with this document demonstrates that the Project accords with the relevant policies of the NPS and there are no specific policies that clearly indicate consent should be refused.</p>
Weighing impacts and benefits	EN-1 4.1.5	<p>In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:</p> <ul style="list-style-type: none"> <li>▪ its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits;</li> <li>▪ its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.</li> </ul>	<p>The Planning Statement (APP-297) sets out the planning balance for the Project drawing together the benefits of the scheme (as summarised above) and the assessment of potential adverse effects. The Planning Statement concludes that the Project would bring significant benefits and it is not considered that there are any adverse effects which outweigh the benefits of the Project, and as such would be in accordance with the NPS and should therefore be consented.</p> <p>The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055). The ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration.</p>
	EN-1 4.1.6	<p>In this context, the SoS should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1).</p>	<p>Sections 6 and 7 of The Planning Statement (APP-297) set out the planning balance for the Project drawing together the benefits of the scheme and the assessment of potential adverse impacts. It concludes that the Project would bring significant benefits, would be in accordance with the NPS, Marine Plans and Local Policy and should therefore be consented.</p> <p>When taking into account the evidence presented in the Planning Statement (APP-297) and this Policy Compliance Document, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with both national and local planning policy.</p>
	EN-1 4.1.7	<p>Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure. Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary, to ensure there are no significant and cumulative effects as a result of the application.</p>

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		Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.	The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055) which sets out how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS
Land Rights	EN-1  4.1.8 – 4.1.9	Where the use of land at a specific location is required to facilitate the development by providing for mitigation, and landscape enhancement, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land.  The SoS will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.	<p>The Applicant has sought to enter into voluntary agreements for all of the land and rights required to facilitate the Project. The status of negotiations is shown in Appendix 4 of the Statement of Reasons (APP-031).</p> <p>Compulsory acquisition powers are being sought to facilitate the development. Further details of the Project's need for, and approach to, compulsory acquisition are set out in the Statement of Reasons (APP-031).</p> <p>The Statement of Reasons (APP-031) has been prepared in accordance with the provisions of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the 2009 Regulations').</p> <p>This Statement is required to support the Application because the draft DCO (APP-303), if made would authorise the compulsory acquisition of interests or rights in land. The DCO would also confer on the Applicant the additional powers below:</p> <ul style="list-style-type: none"> <li>▪ extinguishment of private rights over land;</li> <li>▪ acquisition of subsoil only;</li> <li>▪ rights under or over streets;</li> <li>▪ imposition of restrictive covenants;</li> <li>▪ temporary use of land for carrying out the authorised development; and</li> <li>▪ temporary use of land for maintaining the authorised development.</li> </ul> <p>The Statement of Reasons (APP-031) forms part of the suite of documents submitted with the application for a DCO. The Statement should be read in conjunction with the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant, including:</p> <ul style="list-style-type: none"> <li>▪ Draft Development Consent Order (APP-303);</li> <li>▪ Explanatory Memorandum (APP-304);</li> <li>▪ Land Plans (including Onshore Crown and Special Category Land Plans) (APP-009, APP-010, APP-011);</li> <li>▪ Works Plans (onshore) (APP-005);</li> <li>▪ Funding Statement (APP-026)</li> <li>▪ Book of Reference (APP-025));</li> </ul> <p>The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out within the Statement of Reasons. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the DCO to secure the land and interests which are required for the Project. The public benefit of allowing the Project to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.</p>

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			Landscaping is required to screen the OnSS due to the flat reclaimed nature of the landscape. The purpose of this planting is to mitigate effects on landscape character and visual amenity. This has the added benefit of providing enhanced biodiversity as set out in the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).
Other documents	EN-1 4.1.10 – 4.1.12	<p>The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the “benchmark” for what is, or is not, an acceptable nationally significant energy development).</p> <p>The energy NPSs have taken account of the NPPF, the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate.</p> <p>Other matters that the SoS may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.</p>	<p>The Project has considered the NPS within the Planning Statement (APP-297) and this Policy Compliance Document. The Project is supported by the NPSs.</p> <p>Specific national, regional and local legalisation, policy and guidance are assessed in each topic chapter across the ES (APP-055). This document provides an overview of how the project responds to relevant legalisation at the national, regional and local levels, with the following documents assessed in aforementioned tables:</p> <ul style="list-style-type: none"> <li>▪ Marine Policy Statement (MPS) (2011)</li> <li>▪ National Planning Policy Framework (NPPF) (2023)</li> <li>▪ National Planning Practice Guidance</li> <li>▪ East Lindsey Local Plan Core Strategy 2016-2031 (Adopted July 2018)</li> <li>▪ South East Lincolnshire Local Plan 2011-2036 (Adopted March 2019)</li> </ul> <p>Further information regarding relevant legalisation at the national, regional and local levels is considered within Section 4.5 of the Planning Statement (APP-297).</p>
Development consent	EN-1 4.1.16 – 4.1.17	<p>The SoS should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p> <p>The SoS should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.</p>	<p>The draft DCO (APP-303) sets out the requirements that are considered as necessary, relevant to planning and all technical disciplines, such that the Project will comply with all requirements during all phases of the Project.</p> <p>The Applicant also volunteered for the Project to be part of the NSIP Reform Early Adopters Programme (EAP) which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions.</p>
	EN-1 4.1.18	<p>The SoS may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.</p>	<p>The Applicant recognises that there may be a need for certain planning obligations, as set out in the NPS. The Applicant will submit any such proposed planning obligation to the ExA and/or SoS for consideration before the close of the examination.</p>
Early engagement	EN-1 4.1.19 – 4.1.20	<p>Early engagement both before and at the formal pre-application stage between the Applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government’s pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the ExA and leading to a clear recommendation report to the SoS.</p> <p>This is particularly so in the case of Habitats Regulations Assessment (HRA) matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the Applicant</p>	<p>Stakeholder consultation and engagement have played a fundamental role in shaping the Project. A comprehensive account of all consultation undertaken to assist in the development of the Project is included within the Consultation Report (APP-032). Consultation is also detailed within Chapter 6 Technical Consultation (APP-061).</p> <p>The Applicant has volunteered for the Project to be part of the NSIP Reform EAP which facilitated the use of multiparty meetings during the pre-application stages.</p> <p>Stakeholder engagement primarily took place under the Evidence Plan Process (EPP), as documented in Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provided a useful stakeholder engagement approach on key elements and outcomes of the PEIR process</p>

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		to submit sufficient information to enable the SoS to conduct an Appropriate Assessment if required.	<p>which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes documented in the Consultation Report (APP-032).</p> <p>The Applicant has engaged in post-scoping, pre-application consultation with both statutory and non-statutory consultees (This is further set out in Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149), which includes further details of the series of regular consultation meetings held with key stakeholders on technical matters),</p> <p>In June 2023 the Applicant published a Preliminary Environmental Information Report (PEIR) in the format of a draft ES that formed the basis of the Application information submitted for statutory consultation under Sections 42 and 47 of the Planning Act 2008. This consultation period was open for 46 days between 7<sup>th</sup> June 2023 and 21 July 2023. Consultation feedback received has been carefully considered as the project design has been finalised and the documentation has been updated to form the final ES that accompanies the DCO (including deemed marine licence) application.</p> <p>The Applicant has prepared the ES on the basis of information submitted for statutory consultation under Sections 42, 47 and 48 of the 2008 Act.</p> <p>The consultation process described above informed several design/project changes. Table 1.1 within the Consultation report (APP--032), summarises onshore Project Refinement and key Consultation Feedback in relation to design elements.</p> <p>Refinements to the offshore Project parameters were not a central focus of the public consultation carried out under Section 47 of the 2008 Act but addressed by a number of statutory consultees both through bilateral engagement, the EPP and consultation carried out under Section 42.</p> <p>The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application. Full details of consultation on HRA and Compensation is set out in the Evidence Plan Report (APP-052).</p>
Financial and technical viability	EN-1 4.1.21- 4.1.22	<p>In deciding to bring forward a proposal for infrastructure development, the Applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions.</p> <p>Where the SoS considers that the financial viability and technical feasibility of the proposal has been properly assessed by the Applicant, it is unlikely to be of relevance in SoS decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).</p>	<p>The Applicant (GTR4 Ltd) is a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development. Each of these companies bring a demonstrable track record of delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty.</p> <p>The Compulsory Acquisition Funding Statement (APP-026) and Compensation Funding Statement (APP-264) confirm that the Applicant is confident that the Project will be commercially viable based on the assessments it has undertaken. As such the SoS can conclude with confidence that the financial and technical feasibility of the Project is assured, and therefore it is considered that the Project is in accordance with paragraph 4.1.22 of EN-1.</p>
<b>EN-1 Part 4.2: The critical national priority for low carbon infrastructure</b>			
The critical national priority for low carbon infrastructure	EN – 1 4.2.1 - 4.2.3	Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology.	The Project would contribute to decarbonising the power system by 2035, supporting 2050 net zero ambitions through the development of up to 100 WTG with a generating capacity of approximately 1.5GW .ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) provide commentary on the Government's ambition to increase supply of energy from renewable sources

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		<p>Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK’s strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.</p> <p>With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.</p>	<p>and the need for offshore wind farms, like the Project, as a key mechanism in supporting the transition towards net zero and supporting a shift away from fossils fuels.</p> <p>Regarding the references made to smart and strategic planning in Paragraph 4.2.3, The Project has been the subject of an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This process was conducted to ensure the Project makes the greatest possible contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information provided within ES Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>In terms of high environmental standards, as outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project has been developed in accordance with relevant legislation, policy and guidance. In addition, in assessing the impacts of the Project, due regard to topic-specific legislation, policy, guidance has been considered in each ES chapter.</p>
	<p>EN – 1 4.2.4 - 4.2.6</p>	<p>The Government has therefore concluded that there is a CNP for the provision of nationally significant low carbon infrastructure.</p> <p>This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means:</p> <ul style="list-style-type: none"> <li>▪ for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready;</li> <li>▪ for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System;</li> <li>▪ for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution;</li> <li>▪ for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore; and</li> <li>▪ Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects.</li> </ul> <p>The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in</p>	<p>Offshore wind has been defined by Government as being a CNP and therefore the Project constitutes CNP infrastructure as outlined within the response to paragraph 3.3.62 and the Planning Statement (APP-297). The Government has highlighted that there is an urgent need for CNP Infrastructure to achieving energy objectives, together with the national security, economic, commercial, and net zero benefits.</p> <p>The Project would contribute towards decarbonising the power system by 2035 supporting 2050 net zero ambitions and providing the CNP required urgently to meet these aspirations.</p>

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		paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.	
	EN – 1  4.2.7	The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the Project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the ExA when it is making its recommendation to the SoS.	<p>The Project has followed the statutory regulations in assessing the impacts of the Project within the ES as outlined within ES Chapter 1: Introduction (APP-056) and ES Chapter 2: Need, Policy and Legislative Context (APP-057).</p> <p>The ES (APP-055) provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics.</p> <p>Whilst the Project may lead to temporary significant adverse effects during multiple phases of the development this is balanced against the significant benefit of the Project in the delivery of renewable energy. Additionally any long term effects of the Project will be mitigated as far as reasonable practicable. For example, Chapter 28 Landscape and Visual Assessment(APP-083) sets out that landscape and onshore visual effects can be mitigated through planting .</p>
	EN-1 4.2.8	During decision making, the CNP policy will influence how non-HRA and non-Marine Conservation Zone (MCZ) residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2.	<p>Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the application.</p> <p>As demonstrated throughout the ES (APP-055), and Planning Statement (APP-297), the Applicant has shown how any non-HRA and MCZ likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES and Planning Statement, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project . It has been demonstrated that the Project is in accordance with the NPS.</p>
	EN-1 4.2.9	During decision making, the CNP policy also explains the Secretary of State’s approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and imperative reasons of overriding public interest (IROPI) tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.	<p>The Project is classified as CNP infrastructure. The Applicant considers that any anticipated impacts as a result of the Project and as reported in the Environmental Statement (APP-055) are clearly outweighed by the benefits. This is shown in Section 6.4 of the Planning Statement (APP-297) which provides an overview of how the Project has been developed in accordance with CNP policy including guidance relating to HRA derogations and MCZ assessments.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p>

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			<p>The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ assessment (APP-157) supports the DCO and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>As demonstrated within the ES (APP-032), the RIAA (APP-235), the MCZ assessment (APP-157), and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects relating to HRA or MCZ would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken into consideration. It has been demonstrated that the Project is in accordance with the NPS and does not introduce an impediment to the policies considered within any other NPS.</p>
Applicants Assessment	EN – 1 4.2.10	Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.	<p>The Project has considered this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, as illustrated in the Planning Statement (APP-297).</p> <p>The ES (APP-055) and Report to Inform Appropriate Assessment (RIAA) (APP-235) provide a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics. The ES and RIAA also show how any likely significant negative effects would be avoided, reduced, mitigated or compensated in accordance with the mitigation hierarchy.</p>
	4.2.12	Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.	<p>The ES sections and tables in the ‘Summary of Effects’ sections within the receptor chapters in the ES (APP-055) are structured to distinguish between the construction, operation, decommissioning and reinstatement (where relevant) phases of the Project, with proposals for compensation and monitoring proposed where appropriate.</p> <p>The ES Chapters also include consideration of the potential for cumulative effects to occur as a result of multiple developments. The approach to the Cumulative Effects Assessment (CEA) has taken account of the advice provided in The Planning Inspectorate’s Advice Note Seventeen (Cumulative Effects</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Assessment Relevant to Nationally Significant Infrastructure Projects) (The Planning Inspectorate, 2019) and has considered other projects, plans and activities on a tiered basis (relating to certainty of implementation and accuracy of the available information)
	4.2.13	Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.	<p>Please see the Applicant’s response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features. The documents submitted as part of the Applicant’s derogation case are set out below (APP-243 – APP-264):</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ TCE Kittiwake Strategic Compensation Plan (APP-260);</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>
Secretary of State decision making	EN-1 4.2.14	The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant’s assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.	<p>As described above, the Applicant’s assessment, both EIA as set out in the ES (APP-055) and HRA as set out in the RIAA (APP-235) demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant tests under the NPSs and other legislation and policy have been met.</p> <p>The Project’s application of the mitigation hierarchy and compensation where required has minimised negative impacts.</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance.</p> <p>The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>• Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</li> <li>• Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>• Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>• Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>As outlined throughout the ES, alongside its pertinent environmental benefits through the delivery of clean and affordable energy, the Project will also deliver significant social and economic benefits. As described in both the Planning Statement (APP-297) and Chapter 29: Socio-Economic Characteristics (APP-084), the development of offshore wind projects, like this Project, will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base.</p>
Non-HRA—and non-MCZ residual impacts of CNP Infrastructure	EN-1 4.2.15— 4.2.16	<p>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.</p> <p>As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.</p>	<p>An ES (APP-055) supports the DCO application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of the Planning Statement (APP-297) , the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
	EN-1 4.2.17	<p>This means that the SoS will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</p> <ul style="list-style-type: none"> <li>where development within a Green Belt requires very special circumstances to justify development;</li> <li>where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs;</li> <li>where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and</li> </ul> <p>where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.</p>	<p>No elements of the Project are situated within areas having the highest status of protection (National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs)). No part of the Project falls within Green Belt land. In addition, there are no landscape designations within the LVIA Study Area. There will, therefore, be no significant effects on landscape designations as they lie beyond the distance within which there is potential for significant effects to arise. Full details are set out in Chapter 28 Landscape and Visual Impact Assessment (APP-083).</p> <p>There will be no direct impact to any subtidal or Intertidal SSSI features as identified in Chapter 9: Benthic and Intertidal Ecology (APP-064).</p> <p>As set out in ES Chapter 21: Onshore Ecology (APP-076), there will be no direct impact to onshore SSSIs as the onshore Order Limits have been designed to avoid designated sites. Indirect impacts are considered within ES Chapter 21: Onshore Ecology (APP-076), Chapter 24 Hydrology and Flood Risk Assessment (APP-079) and Chapter 19 Air Quality (APP-074) which conclude indirect impacts as a result of effects arising from water quality, dust emissions, road traffic emissions and emissions from temporary construction non-road mobile machinery (NRMM), are considered not significant in EIA terms.</p> <p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Chapter 13 Marine and Intertidal Archaeology , Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Chapter 13: Marine and Intertidal Archaeology (APP-068). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068). Substantial harm has not been concluded.</p>

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			<p>The assessment presented in Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Chapter 20 confirms that no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term. No designated archaeological remains would be physically affected by the Project and mitigation is proposed whereby there would be no residual significant impacts to non-designated archaeological remains. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.</p>
<p>HRA derogations and MCZ assessments for CNP Infrastructure</p>	<p>EN-1 4.2.18— 4.2.20</p>	<p>Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively.</p> <p>Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</p> <p>Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.</p>	<p>A MCZ Assessment has been provided as an appendix to Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). The MCZ assessment has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>With regards to the HRA and MCZ there are no LSE with the exception of (in-combination) effects at the Flamborough and Filey Coast (FFC) Special Protection Area (SPA).</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Consultation has taken place through the Scoping process, EPP, and through statutory consultation meetings. In particular, the Applicant has engaged with Natural England (NE) for any compensation measures.</p> <p>The Applicant has concluded that the Project on its own will not have an Adverse Effect on Integrity (AEol) on any of the designated sites and features identified through screening. There is a potential risk of AEol in relation to the kittiwake feature of the Flamborough and Filey Coast SPA when the Project is considered in-combination with other plans, projects and activities. As such, the Applicant has submitted a Derogation Case (APP-242). The Applicant maintains that there will be no AEol on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only. Further information on the assessment of adverse effect on integrity (AEol) can be found in the RIAA.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The Derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEol cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p>
	<p>EN-1 4.2.21</p>	<p>For both derogations, the SoS will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:</p>	<p>As set out above in the Applicant’s response to paragraph 4.2.9, the derogation case is presented as part of the HRA in Derogation Case (APP-242) which explains the need for the Project, that there are no alternatives to achieve the Project objectives and that there is an IROPI in the Project coming forward.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and</p> <p>are capable of amounting to IROPI for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.</p>	
	EN-1 4.2.22	<p>For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.</p>	<p>Please see the Applicant's response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of 'without prejudice' compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ Assessment is presented in Volume 3, Chapter 9 Benthic and Intertidal Ecology Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). No impacts have been identified.</p>
<b>EN-1 Part 4.3: Environmental Principles</b>			
Environmental Effects/ Considerations	EN-1 4.3.1 – 4.3.3	<p>All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the Project.</p> <p>The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.</p> <p>The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the Project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.</p>	<p>An ES (APP-055) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022).</p> <p>The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for the Project is in accordance with paragraph 4.3.1-4.3.3 of EN-1.</p> <p>Regarding the topics outlined in Paragraph 4.3.2 of EN-1, no significant residual effects have been identified as confirmed in the Sections and Chapters below which set out several mitigation measures:</p> <p><b>Human Health</b></p> <ul style="list-style-type: none"> <li>ES Chapter 30: Human Health (APP-085) - A number of mitigations across the different topics chapters apply to human health and major disasters including the Outline Construction Traffic Management Plan (APP-289), Outline Noise and Vibration Management Plan (APP-269) and Outline Code of Construction Practice (APP-268) to reduce the impacts of the works on human health.</li> </ul> <p><b>Biodiversity (onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 4: Onshore Ecology (APP-059) - The Project has made a number of commitments to reduce impacts on onshore ecological receptors. Most notably, the adoption of trenchless techniques at 216 separate sites along the onshore ECC and 400kV cable corridor to avoid impacts to major river and watercourses, priority habitats and designated sites. The Project has also been designed to avoid all ponds and woodland and reduce the need for severance of linear habitat features as much as possible. An Outline Landscape and Ecological Management Strategy (OLEMS) has been produced which presents the mitigation measures that will be undertaken to</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>manage the potential impacts to onshore ecological receptors. With measures in place the project will result in no significant effect for any of the impacts.</p> <ul style="list-style-type: none"> <li>ES Chapter 22: Onshore Ornithology (APP-077) - Potential harm to birds, is mitigated through a Construction Method Statement (CMS) and pre-works surveys, ensuring protection for nesting birds and preventing significant harm. Disturbance to protected bird species, is mitigated through seasonal restrictions and localised working commitments to minimise disruption to specific bird populations. Water and air quality are both managed through detailed assessments and embedded mitigation measures in the Pollution Prevention Emergency Incident Response Plan (PPEIRP) and Air Quality Management Plan (AQMP).</li> </ul> <p><b>Biodiversity (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 9: Benthic Subtidal and Intertidal Ecology (APP-064) - Mitigation strategies, including micro siting of infrastructure where possible to avoid areas of Annex 1 reef, have been adopted. Within the SAC, the Project has also committed to removable cable protection, should cable burial not be possible. An initial Cable Burial Risk Assessment has been undertaken. A further Cable Burial Risk Assessment will also inform cable burial as part of a Cable Specification and Installation Plan which will be developed for approval by the MMO prior to construction. To minimise the risk of pollution, a Project Environmental Management Plan will be produced; this will also be used to reduce the risk of invasive species. The Project design has also been refined to include trenchless cable installation (HDD) to remove impacts at the coast.</li> <li>ES Chapter 10: Fish and Shellfish Ecology (APP-065) - Mitigation measures include the development of a Cable Specification and Installation Plan (CSIP) to minimise habitat loss. Additionally, the implementation of a piling Marine Mammal Mitigation Protocol (MMMP) which details measure that will be implemented by the Project to limit the underwater noise levels to reduce the risk of auditory injury to negligible levels. Whilst the implementation of a MMMP is not aimed at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. To minimise the risk of pollution, a Project Environmental Management Plan will be produced which will also be used to reduce the risk of invasive species.</li> <li>ES Chapter 11: Marine Mammals (APP-066) – Mitigation measures have been committed to by the Project, such as the use of maximum hammer energies (6,600kJ for monopiles, 3,500kJ for pin-pile), soft start and ramp up procedures for piling, and a maximum of two piling events occurring simultaneously. Additionally, a Marine Mammal Mitigation Protocol (MMMP) for both piling and Unexploded Ordnance (UXO) clearance will be developed and implemented, the reduce the risk of auditory injury to negligible levels. A vessel management plan will also be developed, to reduce any collisions and minimise disturbance.</li> <li>ES Chapter 12: Offshore and Intertidal Ornithology (APP-067) - Mitigation measures and changes to the Project design have been adopted by the Project to minimise impacts on IOFs, such as adapting the array footprint to avoid important seabird habitat and raising the minimum tip height of the blades to 40m relative to mean sea level (MSL). A number of other mitigation measures have been proposed by way of compensation strategies for kittiwake, guillemot and razorbill species.</li> </ul> <p><b>Land Use and soil</b></p> <ul style="list-style-type: none"> <li>ES Chapter 25 Land Use (APP-080) - Mitigation includes the Code of Construction Practice (APP-268), the Outline Soil Management Plan (SMP) (APP-271) to manage soil effectively during stripping, handling and reinstating and the Outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP) (APP-272) which includes measures to prevent pollution incidents</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Water (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 24 Hydrology, Hydrogeology and Flood Risk (APP-079) - The Project has made a number of commitments to minimise and reduce the risk to hydrology, hydrogeology and flood risk including obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, preparation of a Flood Management Response Plan and adherence to the PPEIRP. By incorporating these commitments no significant effects have been identified in relation to hydrology, hydrogeology and flood risk.</li> </ul> <p><b>Water (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 8: Marine Water and Sediment Quality (APP-063) - The Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application), which will be submitted to the MMO for approval prior to works being carried out.</li> </ul> <p><b>Air Quality</b></p> <ul style="list-style-type: none"> <li>ES Chapter 19: Air Quality (APP-074) - there are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</li> </ul> <p><b>Climate Change</b></p> <ul style="list-style-type: none"> <li>ES Chapter 31 Climate Change (APP-086) - The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</li> </ul> <p><b>Landscape (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 21 Landscape and Visual Assessment (APP-076) - The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</li> </ul> <p><b>Landscape (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 17: Seascape Landscape and Visual Impact Assessment (APP-072) - For Seascape and Landscape impacts have been mitigated as far as practical through the Project design which has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline.. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Material assets and cultural heritage (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) - Mitigation includes the project design to prevent or reduce potential impacts on Archaeology and Cultural Heritage receptors include implementation of an agreed programme of archaeological investigation work during construction to ensure that any heritage assets are identified and recorded. An outline version of the Onshore Written Scheme of Investigation has been provided with the application (APP-283).</li> </ul> <p><b>Material assets and cultural heritage (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 13: Marine and Intertidal Archaeology (APP-068) - The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and micro sited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</li> </ul> <p>As such, the Project is considered to accord with the provisions set out within the NPS.</p>
	EN-1  4.3.4	To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.	<p>An ES has been submitted for the Project which undertakes a thorough assessment including environmental, social and economic receptors.</p> <p>The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. The topics referred to in Paragraph 4.3.4 of EN-1, are assessed in the following ES Chapters:</p> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul> <p><b>Equality</b></p> <ul style="list-style-type: none"> <li>Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Biodiversity Net Gain</b></p> <p>A Biodiversity Net Gain Project Principles and Approach Statement (APP-302) has been prepared and submitted alongside the ES. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Applicant is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284) . A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design and in order to comply with the BNG statutory requirements for NSIPs (anticipated in November in 2025). Biodiversity gain calculations, using the Statutory Biodiversity Gain Metric, would be incorporated into a Biodiversity Gain Final Design Report.</p> <p><b>Community Cohesion</b></p> <ul style="list-style-type: none"> <li>ES Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Health and well-being</b></p> <ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> <li>▪ ES Chapter 27 Traffic and Transport (APP-082)</li> <li>▪ ES Chapter 19 Onshore Air Quality (APP-074)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>Where necessary, the ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy and in order to demonstrate how this will be achieved a number of outline management plans are submitted with the application.</p>
	EN-1 4.3.5 – 4.3.7	For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project. Where the NPSs use the term ‘environment’ they are referring to both the natural and historic environments. In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.	<p>The ES topic specific chapters (APP-071 to APP-086) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the Project during the pre-construction, construction, operation and decommissioning phases. These have been prepared in accordance with the Scoping Opinion and Scoping Report included as appendices to the Consultation Report (APP-032) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation , Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Both the natural and historic environments have been considered. The predicted effects at each of the Project stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. As such it is considered that the ES for the Project is in accordance with paragraph 4.3.5 – 4.3.7 of EN-1</p>
	EN-1 4.3.8 – 4.3.9	In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms ‘effects’, ‘impacts’ or ‘benefits’ should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits.  As in any planning case, the relevance or otherwise to the decisionmaking process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and HRA sites.	<p>The Application, in particular the ES (APP-055) has used the requirements and terminology set out within paragraphs 4.3.8-4.3.9 of EN-1.</p> <p>The Application has also adhered to legislative requirements, with further information detailed within Chapter 2 Need, Policy and Legislative Context (APP-057).</p> <p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
Applicant assessment	EN-1 4.3.10 – 4.3.11	The Applicant must provide information proportionate to the scale of the Project, ensuring the information is sufficient to meet the requirements of the EIA Regulations.  In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, The Applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	<p>The level of detail provided is proportionate to the scale of the Project. Section 1.5 of ES Chapter 5: EIA Methodology (APP-060) provides a description of the proportionate approach to environmental assessment that has been used in the production of the ES. Information has been prepared in accordance with the Scoping Opinion and Report (APP-034 and APP-035) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Where full details cannot be provided, the Applicant has explained in the Application which elements of the proposal have yet to be finalised, and the reasons why this is the case. The design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters.</p>
	EN-1	Where some details are still to be finalised, the ES should, to the best of the applicant’s knowledge, assess the likely worst-case environmental, social and economic effects of	To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered, and the ‘Maximum Design Scenario’ (MDS) (known as the ‘Rochdale Envelope’

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	4.3.12 – 4.3.13	<p>the proposed development to ensure that the impacts of the Project as it may be constructed have been properly assessed.</p> <p>To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the Project on the likely significant environmental, social, and economic effects.</p>	<p>approach) has been presented and assessed for each parameter. This approach allows for the assessment of the worst-case impacts specific to each chapter topic. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. Therefore, each chapter will assess the 'realistic worst-case' scenario (WCS) for each of the identified potential impacts, Further information is provided in Section 1.4 of ES Chapter 5: EIA Methodology (APP-060)</p> <p>Within the ES, a range of parameters for each aspect of the Project are defined and the MDS for each receptor and/or impact is identified and considered for assessment. Consultation has also been a key part of the Project, which includes the publication of the Project scoping report and four pre-application phases. The consultation process has followed statutory guidance and has facilitated the identification of matters that have directly led to design changes and commitments. Further information can be found within the Consultation Report (APP-032) and summarised in Chapter 3: Project Description (APP-058).</p> <p>This approach is particularly advantageous for large-scale developments involving complex engineering and multi-year development programmes (including offshore wind) where it is not possible to identify the exact components to be used within the final development, as it provides for flexibility in design and construction and allows for developments in technology to be implemented, provided they are within maximum extents and ranges assessed within the EIA. This is of particular relevance to offshore wind development, where the technology is constantly improving, with larger and more efficient turbines being developed.</p> <p>The use of existing data and site-specific survey has enabled an adequate characterisation of the receiving environment to enable a robust assessment to be undertaken against a realistic worst-case 'Rochdale Envelope' approach to project design. Post-consent, further survey work including Site Investigation (SI) will be required to inform the final detailed design preconstruction.</p>
	EN-1  4.3.15 – 4.3.17	<p>Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility.</p> <p>In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</p> <p>Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.</p>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Chapter 4 provides a description of the site selection process and the approach undertaken by the Applicant to refine the design of the Project. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p> <p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul>
Secretary of State decision making	EN-1 4.3.18 – 4.3.19	The SoS should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	<p>To allow the SoS to consider the worst-case impacts, the design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the ‘realistic worst-case’ scenario for each of the identified potential impacts, referred to as the MDS which considers the likely worst cast environmental, social and economic effects.</p> <p>In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and decommissioning phases of the onshore and offshore aspects of the Project have been considered across the specific ES chapters.</p> <p>The EIA Regulations require a consideration of cumulative effects, which is to say that the overall impact of the Project must be considered together with the impact of other proposed developments in the area. Cumulative effects are assessed and reported within each topic chapter of the ES.</p> <p>Across the ES, inter-related effects for the Project have been considered for both onshore and offshore matters. No significant inter-related effects arising as a result of the Project have been identified.</p>
	EN-1 4.3.20	The Government has set 13 legally binding targets for England under the Environment Act 2021, covering the areas of: biodiversity; air quality; water; resource efficiency and waste reduction; tree and woodland cover; and Marine Protected Areas (MPAs). Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery. The Secretary of State have regard to the ambitions, goals and targets set out in the Government’s Environmental Improvement Plan 2023 for improving the natural environment and heritage. This includes having regard to the achievement of statutory targets set under the Environment Act.	<p>Across the ES (APP-055) relevant legislation and guidance including the Environment Act 2021 have been considered in the assessment of different topic areas like biodiversity and air quality. In addition, such legislation has also been considered in the design of the Project, to ensure the proposed infrastructure is compliant (see additional information within Chapter 2: Need, Policy and Legislative Context (APP-057))</p> <p>The Applicant is also committed to maintaining and enhancing biodiversity as a result of the Project. This is realised within the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, as well as areas outside of the Order Limits. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance.</p> <p>In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-294). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 4.3.22	Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives were taken forward for consultation as appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; only alternatives that can meet the objectives of the proposed development need to be considered.</li> </ul>	<p>This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p>
	EN-1  4.3.23 – 4.3.24	<p>The SoS should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.</p> <p>The SoS should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.</p>	<p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p> <ul style="list-style-type: none"> <li>Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul> <p>Alternatives were identified as early as possible and the site selection process and alternatives considered have been through detailed analysis of environmental, social, and engineering constraints, with key feasible alternatives taken forward for consultation either through the Scoping process, the Evidence Plan, or specific evidence plan meetings.</p>
	EN-1  4.3.25 – 4.3.28	<p>Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the SoS thinks they are both important and relevant to the decision.</p> <p>As the SoS must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the SoS concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the SoS’s decision.</p> <p>Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p> <p>Alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
	EN-1  4.3.29	<p>It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the SoS (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect The Applicant to have assessed it.</p>	
<b>EN-1 Part 4.4. Health</b>			
Health	EN-1  4.4.1-4.4.3	<p>Energy infrastructure has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people’s health.</p> <p>The direct impacts on health may include</p> <ul style="list-style-type: none"> <li>increased traffic</li> <li>air or water pollution</li> <li>dust, odour</li> <li>hazardous waste and substances</li> </ul>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES.</p> <p>Specifically, impacts to human health are assessed within Chapter 30 Human Health (APP-085). Chapter 30 concludes that the main drivers of potential human health effect are the construction process and the associated construction traffic. These activities may lead to increased noise levels, dust and emissions. However, a combination of embedded mitigation (described in this chapter) and additional mitigation (detailed in the relevant technical chapters) can be used to control these impacts to an acceptable level (not significant in EIA terms).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ Noise</li> <li>▪ exposure to radiation, and</li> <li>▪ increases in pests</li> </ul> <p>New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity.</p>	<p>Mitigation measures are included within the OCoCP (APP-268) to be secured as a requirement of the DCO.</p> <p>In light of the above it is considered that the ES for the Project is in accordance with 4.4.1 -4.4.3 of NPS EN-1</p>
Applicant assessment	EN-1 4.4.4 – 4.4.6	<p>As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the Project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society, and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to wider society as a whole.</p>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to human health are assessed within ES Chapter 30 Human Health (APP-085). As noted in the response to EN-1 4.4.1 -4.4.3 above, this assessment finds that for the general population there would be no significant (in EIA terms) effect on human health as a result of the Project.</p> <p>The Project has made a number of commitments during the construction and operational phases of the project to reduce and minimise the impacts to human health which are secured through the Outline Code of Construction Practice (APP-268), Outline Noise and Vibration Management Plan (APP-269), Outline Air Quality Management Plan (APP-270), and the outline onshore archaeological WSI (APP-283).</p> <p>Through consideration of potential impacts to human health, including cumulative assessment, and the provision of mitigation, it is considered that the ES for the Project is in accordance with 4.4.4 -4.4.8 of NPS EN-1</p>
Secretary of state decision making	EN-1 4.4.7 - 4.4.8	<p>Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008.</p> <p>However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.</p>	
<b>EN-1 Part 4.5: Marine Considerations</b>			
Marine Considerations	EN-1 4.5.1	<p>The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide.</p>	<p>The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development.</p> <p>The marine plans and MPS have been considered in developing the application for consents for the Project.</p> <p>In particular the Government's Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.5.2 – 4.5.3	<p>Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations.</p> <p>The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.</p>	<p>In particular the Government’s Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>
	EN-1 4.5.5 – 4.5.6	<p>The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on MPAs, including applying the mitigation hierarchy and using strategic approaches. The guidance will not extend to waters where the devolved administrations have competence for managing MPAs.</p> <p>A dML can be granted as part of the DCO and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and OSSs. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea.</p>	<p>Further guidance is expected from Defra on approaches to more strategic options associated with the mitigation hierarchy, in particular with regards to derogation and compensatory measures. This work is also supported by groups such the Collaboration on Offshore Wind Strategic Compensation (COWSC) which is working to develop measures which can be applied if compensation is required, particularly if a more strategic approach is required.</p> <p>A draft DCO is submitted as part of the Application which identifies requirements that may be applied to the Project, and also incorporates deemed marine licences that would otherwise be required under the Marine and Coastal Access Act 2009, and which identify conditions that may be applied to the Project.</p> <p>The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p>
	EN-1 4.5.7	<p>Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their DCO application.</p>	
Applicant assessment	EN-1 4.5.8	<p>Applicants for a DCO must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent.</p>	<p>The marine plans and MPS have been considered in developing the application for consents for the Project. The Government’s Marine Plans have been considered within the establishment of the baseline environment, set out in Chapter 18 Marine Infrastructure and Other Users (APP-073 ). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p>
	EN-1 4.5.9	<p>Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.</p>	
Secretary of State decision making	EN-1 4.5.10 – 4.5.12	<p>Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a DCO where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas.</p> <p>In making a decision, the SoS is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.</p>	<p>A summary of the potential environmental effects is identified and approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning are set out in each of the offshore ES Chapters.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO as has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 4.6: Environmental and Biodiversity Net Gain (BNG)			
Environmental and Biodiversity Net Gain	EN-1 4.6.1 – 4.6.2	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. BNG is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver BNG.	A Biodiversity Net Gain Report Principles and Approach (APP-302) has been prepared which outlines the commitment of the Project to providing BNG and identifies the onsite and offsite opportunities being proposed/investigated. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. An initial BNG appraisal is included within the Biodiversity Net Gain Report Principles and Approach (APP-302). In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (APP-284). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.  Opportunities for environmental enhancement are also discussed in the Design Principles Statement (APP-293).
	EN-1 4.6.3	Currently BNG policy in England only applies to terrestrial and Intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by Government who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future.	Projects, or components of projects, in the marine environment are not currently included within the scope of the mandatory requirements for biodiversity net gain and are not considered in relevant ES reports.
Applicant Assessment	EN-1 4.6.6-4.6.8	Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. In England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity Baseline and present planned BNG outcomes. This calculation data should be presented in full as part of their application. Where possible, this data should be shared alongside a completed biodiversity metric calculation, with the Local Authority and NE for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). This document is being updated with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric) and will be submitted to the ExA.
	EN-1 4.6.10 – 4.6.12	BNG should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. BNG can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of BNG to be set out within the application for development consent. When delivering BNG off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies, or strategies to use.	The mitigation hierarchy has been applied in the EIA in the first instance to address the potential effects of the Project. An outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) has also been submitted as part of the application which sets out in-principle measures designed to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources arising from the onshore elements of the Project. The purpose of the OLEMS is to: <ul style="list-style-type: none"> <li>Set out the key measures to avoid, reduce, mitigate, or compensate for potential impacts on landscape and biodiversity resources, that may be required prior to, during and post construction (where applicable);</li> <li>Provide an outline of the management required to ensure that both created and enhanced habitats achieve target condition, and that populations of species are maintained at favourable conservation status; and</li> <li>Ensure compliance with the relevant legislation relating to ecology.</li> </ul> An Biodiversity Net Gain Report Principles and Approach (APP-302) was submitted as part of the DCO Application. This document presents the initial findings of the provisional Biodiversity Net Gain (BNG) assessment and presents the Project's principles and approach to BNG in respect of proposed onshore

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>aspects of the Project, outlining the Applicant’s ambition to deliver BNG and demonstrating their work to date in relation to both onsite and offsite opportunities, alongside an inclusion of a baseline assessment calculation. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284).</p> <p>This document is being updated to account for further progress made by the Applicant and with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric). This update, alongside any future iterations of the report or metric in response to new or developed opportunities that arise during the examination phase will be submitted to the ExA. Where relevant, an updated OLEMS will also be submitted to secure BNG commitments made.</p> <p>Detailed design is likely to see the maximum design scenario reduced as efficiencies in delivery cost, schedule and electrical transmission are accounted for in detail. The detailed design scenario will therefore be used to determine a more accurate estimation of the Project’s BNG.</p>
	EN-1 4.6.13	<p>In addition to delivering BNG, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as reductions in GHG emissions, reduced flood risk, improvements to air or water quality, climate adaptation, landscape enhancement, increased access to natural greenspace, or the enhancement, expansion or provision of trees and woodlands. The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.</p>	<p>In addition to possible BNG benefits, the Project will deliver a number of other environmental enhancements, including contributing towards meeting GHG targets at the local-national scales. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>Landscape enhancement is captured in the captured in an outline Landscape and Ecological Management Strategy (OLEMS) (APP-284), as is mitigation, which sets out several principles for the loss priority habitats and impacts on protected species, whilst also delivering positive biodiversity impacts. Further information on Local Area benefits is provided in Section 2.3 of the Design Approach Document (APP-292).</p>
	EN-1 4.6.14	<p>The Environment Act 2021 mandated the preparation of LNRs across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government’s 25 Year Environment Plan.</p>	<p>With regards to LNRs, these are not yet currently available. Currently, the Greater Lincolnshire LNR is in its early stages of project planning and organisation. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRs should be in place across the whole of England.</p>
	EN-1 4.6.15	<p>Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the Project.</p>	<p>An ES (APP-055 -APP-234) accompanies the application which, alongside the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) and Biodiversity Net Gain Report Principles and Approach (APP-302), sets out potential opportunities for net gain that are being explored by the Applicant.</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Further commentary of the Project's approach to biodiversity can be found within the Biodiversity Net Gain Report Principles and Approach (APP-302),</p> <p>Additional information on how the Project has adopted good design principles can also be found within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), which outlines that the Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts.</p> <p>Consideration of good design principles is also provided in the Design Approach Document (APP-292) and Design Principles Statement (APP-293)</p>
	EN-1 4.6.16	Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', the governments guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.	<p>The policy, legislation and guidance that has informed the assessment relating to natural capital assets and ecosystems services is outlined within ES Chapter 21 Onshore Ecology (APP-076) and includes:</p> <ul style="list-style-type: none"> <li>▪ Conservation of Habitats and Species Regulations 2017</li> <li>▪ Wildlife and Countryside Act 1981</li> <li>▪ Environment Act 2021</li> <li>▪ Natural Environment &amp; Rural Communities Act 2006</li> <li>▪ Biodiversity Metric 4.0 calculator and User Guide (Natural England, 2021)</li> <li>▪ 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2'. (CIEEM, 2022).</li> </ul>
	EN-1 4.6.17	Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	<p>The Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design.</p> <p>The ES also sets out the alternatives considered and explains the main reasons for the choice between alternative.</p> <p>ES Chapter 5 Environmental Impact Assessment Methodology (APP-060) describes the site-specific details of the stages of the design iteration from inception through to the current point of ES DCO submission where environmental considerations were a key factor in decision making.</p> <p>Where appropriate, as concluded within the Planning Statement (APP-297) compensation has been set out to ensure there is no significant residual environmental effects.</p>
	EN-1 4.6.18	Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.	The opportunities outlined in Part 5 of this NPS have been considered in the development of the Project. Throughout the ES (APP-055) opportunities for environmental, social, and economic enhancements, protection and mitigation measure have been set out. Mitigation is outlined in the Schedule of Mitigation (APP-287).
Secretary of State Decision Making	EN-1 4.6.1	Although achieving BNG is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for DCO unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.	The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before.
	EN-1	The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within	The Applicant is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.

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	4.6.2 – 4.6.3	<p>an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.</p> <p>The SoS should give appropriate weight to environmental and BNG, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p>	
EN-1 Part 4.7: Criteria for “good design” for energy infrastructure			
Criteria for good design for Energy Infrastructure	EN-1 4.7.1	<p>The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted such that the aesthetic appearance of the infrastructure elements does not detract from landscape quality.</p> <p>Opportunities for making final design decisions early are limited by the need to retain flexibility across several parameters including WTG numbers, size, and location through the planning stages and the need to assess worst-case environmental effects has been conducted as a result throughout the ES.</p> <p>However, where practically possible, the Applicant has proposed mitigation measures to enhance landscape quality as outlined within Chapter 28: Landscape and Visual Assessment (APP-083). This includes positive ecological enhancement proposals within the OLEMS (APP-284) which provides for the incorporation of screening proposals that form part of a proposed approach to enhancement of biodiversity.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>
	EN-1 4.7.2 - 4.7.4	<p>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</p> <p>Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.</p>	<p>“Good design” has been at the forefront of decision making throughout the evolution of the Project; strongly influencing site selection and the design commitments and principles which the Applicant has been able to reach at this stage. The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Project was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects.</p> <p>The siting of the Project’s landfall, onshore ECC and OnSS have incorporated design considerations from the outset. The Project took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and</p>

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		<p>Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.</p>	<p>onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into the following driving principles:</p> <ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve the Project’s purpose.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Project taken on board the feedback from stakeholders and the local communities to deliver the Project in best possible way.</li> <li>▪ Sense of Place – how the Project can create a distinctive place that delivers beneficial spatial outcomes for the local community.</li> </ul> <p>The Project has been the subject of an iterative design and site selection process, across these stages principles of good design have been applied. The Applicant has adopted several modern construction and sustainable design practices, which are described within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This includes committing to burying all onshore cables as opposed to using overhead lines to minimise landscape effects and committed to using trenchless technologies where possible, to avoid compromising existing sea defences, help protect sensitive receptors and minimise the extent of direct interaction with coastal features. As an example, the commitment to undertake approximately 216 trenchless crossings has also meant the Applicant has managed to avoid the removal of up to 17,280m of hedgerows along the Onshore ECC and 400kV cable corridor</p> <p>Principles of good design as a way to mitigate adverse impacts of have been considered at the early stages of the Project.</p> <p>Further commentary can also be found within Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052)</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>
Applicant Assessment	EN-1 4.7.5	<p>To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.</p>	<p>Section 5.3 of the DAD confirms that the Applicant has appointed a Design Champion in accordance with the NPS. The Design Champion will be accountable for delivering coherent good design and holds the project team to account in terms of a macro vision of design. The Design Champion will guide and champion an iterative design process to test the best way of achieving the design principles as set out in the DAD where further detail on the Design Champion Role is also provided. Section 5.4 of the DAD confirms the Project has committed to a Local Design Panel as well as an External Design Review of the OnSS, alongside further information on external design review approach.</p> <p>Design decisions in terms of the Project’s infrastructure and location are set out within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This chapter shows how design principles have been established from the outset of the Project to guide the development from conception to operation.</p> <p>Further design considerations of relevance to the onshore and offshore design are set out in Chapter 3 Project Description (APP-058).</p> <p>Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the OnSS is outlined within the OLEMS (APP-284).</p>

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			<p>The Project’s approach to good design- (taking fully into account the policy requirements) is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293).</p> <p>As such, in so far as practicable, it is considered that the Project is in accordance with paragraph 4.7.5.</p>
	<p>EN-1 4.7.6 – 4.7.9</p>	<p>Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform, and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.</p> <p>Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.</p> <p>Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.</p> <p>Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.</p>	<p>The Applicant has considered their approach to the design of each of the offshore and onshore elements in a holistic way. This is detailed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The chapter considers each offshore and onshore design element, its relationship to the other elements of the design as well as the consultation responses received to inform their optioneering works and ultimately refine the Project design to the Order limits.</p> <p>The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. . Embedded environmental measures that address Seascape, Landscape and Visual effects are presented in Chapter 17 Seascape, Landscape and Visual (APP-062) and measures that address onshore landscape and visual effects are presented in Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>For the onshore infrastructure, a key design choice made at the start of the Project was to install cables underground, rather than using overhead lines, to convey electricity from Landfall to the OnSS. Further consideration has been had when proposing laying of cables, identifying potential reinstatement measures and enhancements for the surrounding area.</p> <p>The OnSS does lead to some visual effects, however these are not considered significant past 15 years (as assessed in ES Chapter 28: Landscape and Visual Assessment (APP-083)). Impacts have been minimised as far as practical during the site selection process. The OnSS will be located in an area where significant effects are not avoidable, and as such proposals for additional screening and planting are set out in Design Principles Statement (APP-293), which would provide mitigation and enhancements to the local area and reduce the significance of effect in the long term and incrementally during the initial period of planting establishment.</p> <p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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Secretary of State decision making	EN-1 4.7.10 – 4.7.11	<p>In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.</p> <p>In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.</p>	<p>As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The proposal as presented is both sustainable and functional. For example, Table 3.1 of the Design Principles Statement (APP-293), sets out the design principles that are to be adopted, categorised in line with the four design principles to guide the planning and delivery of major infrastructure as set out in ‘Design Principles for National Infrastructure’ (National Infrastructure Commission, February 2020), namely Climate, People, Place and Value. The table sets out how design principles such as safety, functionality, visual impact and environmental mitigation will be considered in the design of the OnSS.</p> <p>The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the Project objectives.</p> <p>Further design considerations relating to functionality, sustainability and aesthetics are set out in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p> <p>Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284). The ES takes into account climate change and natural hazards.</p> <p>With regards to offshore design, the Project is being designed in so far as reasonably practicable to apply good design, siting WTGs in an area that seeks to reduce visual effects, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements, such as reducing WTG height or altering colour are not considered feasible due to the flexibility needed to account for due to uncertainty in unforeseen technological advances (as recognised in NPS EN-3) or due to other considerations, such as operational safety, which requires the WTGs to be appropriately marked and painted to comply with navigational safety requirements.</p>
	EN-1 4.7.12 – 4.7.15	<p>In considering applications, the SoS should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. The SoS should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period.</p> <p>The SoS should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects.</p>	<p>Safety of the public and operatives is an overriding principle that must be given the highest priority when making every design decision. The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the project objectives.</p> <p>The ES chapters scoped into the Project assess all operational phase impacts as occurring throughout the operational lifetime of the Project, rather than a shorter time period.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Further advice on what the SoS should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.	
EN-1 Part 4.10: Climate Change Adaptation and Resilience			
Climate Change Adaptation and Resilience	EN-1 4.10.1	Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	The ES has considered the potential effects of climate change and natural hazards of the Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, as it would be expected to occur without the implementation of the development, in so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through climatic changes over the lifetime of the Project.
	EN-1 4.10.2	Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter, winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	Chapter 3 Project Description (APP-058) describes how the Project has adopted a Maximum Design Scenario (MDS), which is illustrative of the Project's resilience to environmental changes anticipated during the lifetime of the Project.  The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Chapter 31: Climate Change (APP-086). Examples include:
	EN-1 4.10.3-4.10.4	To support planning decisions, the government produces a set of UK Climate Projections as well as hazard specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.  The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).	<ul style="list-style-type: none"> <li>▪ Changes in air quality/composition;</li> <li>▪ Changes in flood risk; and</li> <li>▪ Changes in wind speed.</li> </ul> <p>Once construction is complete, the O&amp;M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>In summary the Project demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p>
	EN-1 4.10.5 – 4.10.7	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.  In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.	<ul style="list-style-type: none"> <li>▪ employing a high quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses; and</li> <li>▪ incorporating measures which promote and enhance green infrastructure and explore opportunities for overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul>
	EN-1 4.10.8 – 4.10.9	New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g., site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g., access roads or other critical dependencies impacted by flooding, storms, heatwaves, or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.	As outlined in Chapter 31 Climate Change (APP-086), the Project will make a substantial contribution to the delivery of renewable energy and accelerate national efforts towards Net Zero GHG emissions.  The characterisation of the flood risk Baseline and future Baseline is established using the Environment Agency's Development Advice Map and data from recent hydraulic models, which take into account climate change effects.

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		<p>The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations.</p>	<p>The Flood Risk Assessment: Onshore ECC (APP-211) and the Flood Risk Assessment: OnSS (APP-212) also provide additional information on how the NPS requirements have been met, including accounting for climatic and seasonal changes.</p>
	<p>EN-1 4.10.10- 4.10.12</p>	<p>Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</p> <p>Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.</p> <p>Where energy infrastructure has safety critical elements, The Applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.</p>	<p>The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections. Examples include:</p> <ul style="list-style-type: none"> <li>▪ Changes in air quality/composition</li> <li>▪ Changes in flood risk</li> <li>▪ Changes in wind speed</li> </ul> <p>The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul> <p>The OnSS design includes a surface water drainage system to manage rainfall runoff from the proposed OnSS. The design of the drainage system incorporates an allowance for climate change to rainfall patterns over the lifespan of the development and will ensure that there is no change to the local hydrology or flood risk</p>
<p>Secretary of State decision making</p>	<p>EN-1 4.10.13 – 4.10.19</p>	<p>The SoS should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA's Climate Change Allowances for FRA or the Welsh Government's Climate change allowances and flood consequence assessments) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.</p> <p>Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.</p> <p>The SoS should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the</p>	<p>Chapter 31 Climate Change (APP-086) of the ES concludes that the Project will not give rise to consequential impacts in relation to climate change, following the implementation of embedded and additional mitigation measures.</p> <p>The Project has demonstrated through the ES (APP-055) using the latest UK Climate projections. that it is resilient to climate change and has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources.</li> <li>▪ The characterisation of the flood risk baseline and future baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments (SFRA) and data from hydraulic models, which take into account climate change effects. This</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS.</p> <p>Any adaptation measures should be based on the latest set of UK Climate Projections, the Government’s latest UK Climate Change Risk Assessment, when available and in consultation with the EA’s Climate Change Allowances for Flood Risk Assessments or the Welsh Government’s Climate change allowances and flood consequence assessments. The SoS may take into account reporting authorities reports to the SoS when considering adaptation measures proposed by an applicant for new energy infrastructure.</p> <p>Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the Project and/or surrounding environment (for example coastal processes), the SoS may consider requiring the applicant to keep the need for the adaption measure under review, and ensure that the measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls)</p>	<p>information is contained in ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) and is also contained within the Onshore Substation (OnSS) Flood Risk (FRA) (APP-212) and the onshore Export Cable Corridor (ECC) FRA (APP-211). Flood risk has been considered for the life of the development</p> <ul style="list-style-type: none"> <li>▪ Flood risk has also been considered in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</li> <li>▪ The Project is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: <ul style="list-style-type: none"> <li>▪ demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</li> <li>▪ identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</li> <li>▪ propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</li> <li>▪ include appropriate flood warning and evacuation procedures where necessary which have been undertaken in consultation with the authority’s emergency planning staff;</li> <li>▪ incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</li> <li>▪ demonstrates that the Project will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</li> <li>▪ demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</li> <li>▪ ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.</li> </ul> </li> </ul>
<b>EN-1 Part 4.11 Network Connection</b>			
Network Connection	EN-1 4.11.1 – 4.11.4	<p>The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend a generation plant.</p> <p>In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated.</p>	<p>The Project includes infrastructure required to connect the new power station to the National Grid. A description of the onshore and offshore transmission system and the associated infrastructure is set out within Chapter 3 Project Description (APP-058): The transmission system comprises the following key components:</p> <ul style="list-style-type: none"> <li>▪ Offshore substations (OSSs)</li> </ul>

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		To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission. Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in Section 4.2 of this NPS and EN-5	<ul style="list-style-type: none"> <li>▪ Offshore reactive compensation platforms (ORCPs)</li> <li>▪ Array, interlink, and export cables</li> <li>▪ Project onshore substation (OnSS)</li> <li>▪ Necessary associated development required to transmit the power generated by the turbines to the connection with the National Grid transmission network (the grid connection location). Connection to the National Grid, will include 400kV underground circuit(s) running from the OnSS to a new National Grid Electricity Transmission (NGET) substation which is to be consented separately by NGET.</li> </ul>
	EN-1 4.11.5 - 4.11.6	The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) or TSO to secure a grid connection. Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application. In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.	<p>Further commentary on the transmission system is provided within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Outline Cable Specification and Installation Plan (APP-278)</li> <li>▪ Design Principles Statement (APP-293)</li> <li>▪ Cable Statement (APP-299)</li> <li>▪ Outline Scour and Cable Protection Management Plan (APP-295)</li> <li>▪ ES Chapter 3 Appendix 1 Cable Burial Risk Assessment CONFIDENTIAL (APP-142)</li> </ul>
	EN-1 4.11.7 – 4.11.10	The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the SoS or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall. On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused. If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections. It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms as outlined in EN-5.	<p>The Project will include both offshore and onshore infrastructure including:</p> <ul style="list-style-type: none"> <li>▪ Offshore generating station (windfarm);</li> <li>▪ Offshore export cables to landfall;</li> <li>▪ Offshore Reactive Compensation Platforms (ORCP);</li> <li>▪ Onshore export cables from landfall to the OnSS;</li> <li>▪ OnSS and 400kV cables to the National Grid substation1 (NGSS); and,</li> <li>▪ Ancillary and/or Associated Development including areas for the delivery of up to two Artificial Nesting Structures (ANS) and the creation and recreation of a biogenic reef (if these compensation measures are deemed to be required by the Secretary of State) (see ES Chapter 3: Project Description (APP-058) for full details).</li> </ul> <p>The Explanatory Memorandum (APP-304), and Draft DCO (APP-303), confirm development consent is sought for these elements of the Project comprising the Generating Station (NSIP), Associated Development and Ancillary Development aspects of the Project.</p> <p>Information regarding the National Grid Substation and Connection Area can be found within Section 8.5.2 of Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The National Grid Substation was also included as a part of the Projects onshore cumulative assessment as shown in Annex 1 of appendix 5.3 (APP-148)</p>
Secretary of State decision making	EN-1 4.11.12 – 4.11.13	The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.	The Applicant has secured a grid connection in agreement with National Grid. The Project's OnSS will be located at Surfleet Marsh , with a proposed 400kV cable running under the River Welland from Surfleet Marsh to National Grid's substation at Weston Marsh. .

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		Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State’s ability to take subsequent decisions on any related projects.	A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the OnSS is provided in the Outline Cable Specification and Installation Plan (APP-278) and within Chapter 3 Project Description (APP-058).

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EN-1 Part 4.12: Pollution control and other environmental regulatory regimes			
Pollution Control and Other Environmental Regulatory Regimes	EN-1 4.12.1 - 4.12.2	<p>Issues relating to discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes, for example local planning consent or marine licences (see paragraph 4.5.6 for more information).</p> <p>The planning and pollution control systems are separate but complementary. The planning system controls the development and use of land in the public interest. It plays a key role in protecting and improving the natural environment, public health and safety, and amenity, for example by attaching conditions to allow developments which would otherwise not be environmentally acceptable to proceed and preventing harmful development which cannot be made acceptable even through conditions. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines how the areas most vulnerable and susceptible to pollution have been avoided where practically possible. With regards to the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures such as, but not limited to, the OLEMS (APP-284), and the OCoCP (APP-268), which will be implemented to ensure the relevant pollution control regime is properly applied and approved in advance of construction by the relevant regulator.</p> <p>Regarding offshore matters, the Government's Marine Plans have been considered in developing the Project. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Through scoping to application, Marine Plans, other relevant legislation, and feedback from relevant stakeholders, such as the MMO, has been fed into the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p> <p>With regards to the marine environment and relevant pollution control mitigation measures, these will be managed through the production of a Marine Pollution Contingency Plan (MPCP) and an outline Project Environmental Management Plan (PEMP) (APP-277), to ensure that the potential for contaminant release is strictly controlled. The PEMP will include a MPCP and will also incorporate plans to cover accidental spills, potential contaminant release, and include key emergency contact details (e.g., Environment Agency, NE, Maritime Coastguard Agency and the Project site co-ordinator). The PEMP will be secured as a condition in the dML(s).</p> <p>As detailed within Other Consents and Licences (APP-305), the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator.</p>
	EN-1 4.12.3 – 4.12.4	<p>Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting Regulations require industrial facilities to have an Environmental Permit and meet limits on allowable emissions to operate.</p> <p>Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are, will now be determined through a new UK-specific BAT process.</p>	<p>As detailed within Other Consents and Licences (APP-305) where required, relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The document provides information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of the Project.</p> <p>The Project falls outside the current UK specific BAT process.</p>
Applicant assessment	EN-1 4.12.5	<p>Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.</p>	<p>The Government's Marine Plans have been considered within the establishment of the Baseline environment, as set out in Chapter 18 Marine Infrastructure and Other Users (APP-073) which provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning phase. The Government's Marine Plans are also considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter. The Planning Statement (APP-297) concludes there</p>

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			<p>is no conflict between the NPS and any marine planning document proposals. They meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible. The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p> <p>. Further information can be found within the Consultation Report (APP-032).</p>
	EN-1 4.12.6	Many projects covered by this NPS will be subject to the EPR which also incorporates operational waste management requirements for certain activities. When an applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.	As detailed within Other Consents and Licences (APP-305), where required the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The requirement for an environmental permit in respect of certain flood risk activities (e.g. works within the vicinity of or crossing main rivers or flood defences) has been disapplied in the draft DCO and instead, approval of details will be sought from the Environment Agency in accordance with the protective provisions (unless a flood risk activity exemption applies).
	EN-1 4.12.7 – 4.12.8	Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other such as marine licences. Wherever possible, applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent.	Consultation is a key part of the DCO application process. Technical Consultation regarding this Project has been conducted through the publication of the Scoping Report (Outer Dowsing Offshore Wind, 2022), the publication of the PEIR, other Phase 2 consultation materials (Outer Dowsing Offshore Wind, 2023), and discussions with relevant stakeholders through both the EPP, and bilateral consultation as appropriate. Full details of the above consultations are provided in Chapter 6 Technical Consultation (APP-061).
Secretary of State decision making	EN-1 4.12.9 – 4.12.10	In considering an application for development consent the SoS should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves. The SoS should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The SoS should act to complement but not seek to duplicate them.	<p>The Project has been subject to an iterative site selection and alternatives process Chapter 4 Site Selection and Consideration of Alternatives (APP-059) which demonstrated that the development is the most suitable alternative, and an acceptable use of the land at the proposed location. Specifically, with regards the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures. These measures will be secured through the OLEMS (APP-284), the OCoCP (APP-268), and the Pollution Prevention and Emergency Incident Response Plan (PPEIERP) (APP-272) which will be implemented to ensure the relevant pollution control.</p> <p>Further information is also provided within Other Consents and Licences (APP-305) regarding the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 that will be applied for post consent, with applications made to the relevant regulator.</p> <p>The Outline Project Environmental Management Plan (APP-277) and Outline Code of Construction Practice (APP-268) and associated environmental management plans, provide the framework for the project controlling its emissions and discharges to the offshore and onshore environment by the project respectively. All onshore contractors and subcontractors will work in accordance with the Code of Construction Practice. All offshore contractors will work under a PEMP, produced in accordance with the outline PEMP. Emergency procedures will be developed under these documents for the onshore and offshore works and will include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures.</p>
	EN-1	The SoS's consent may include a deemed marine licence and the MMO or NRW will advise on what conditions should apply to the dML.	The draft DCO incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act (MCAA) 2009, and which identify conditions that may be applied to the Project.

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	4.12.11 – 4.12.13	The SoS and MMO or NRW should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation.  In considering the impacts of the Project, the SoS may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	The Order contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (dML 1) and one for the offshore transmission assets (dML 2). The Order also contains four deemed marine licences for the potential artificial nesting structures.  The Applicant has consulted extensively with the MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard to these are outlined in Consultation Report Appendix 5.1.4B Section 42 Responses (APP-038)
	EN-1  4.12.14 – 4.12.15	The SoS should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the SoS should be satisfied, before consenting any potentially polluting developments, that: <ul style="list-style-type: none"> <li>the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and</li> </ul> the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	The ES provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards potential pollution in the offshore and onshore environment.  The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.  This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project.  Regarding bullet 2 of Paragraph 4.12.15, the Project has proposed several pollution prevention measures which will ensure the Project does not exceed any statutory environmental limits, as listed below:
	EN-1  4.12.16	The SoS should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the SoS to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.	<ul style="list-style-type: none"> <li>Outline Code of Construction Practice (APP-268) which incorporates measures to prevent pollution;</li> <li>Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) will be used to prepare a final management plan and held on all construction sites to follow in the event of an environmental emergency; and</li> <li>Outline Project Environmental Management Plan (APP-277) which will control the release of contaminations relating to offshore activities. The final PEMP will also include a Marine Pollution Contingency Plan (MPCP) and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site co-ordinator). The PEMP will be secured as a condition in the deemed Marine Licence.</li> </ul>
<b>EN-1 Part 4.13: Safety</b>			
Safety	EN-1 4.13.1 – 4.13.2	In addition to its role in the planning system, the HSE is the independent regulator for workplace health and safety and is responsible for enforcing a range of health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Some technologies, for example, major accident hazard pipelines, will be regulated by specific health and safety legislation. The application of these regulations is set out in the technology specific NPSs where relevant.	Best practice health and safety measures will be secured and adhered to, namely through the OCoCP (APP-268) which sets out health and safety principles, including: <ul style="list-style-type: none"> <li>The adoption of appropriate health industry standards;</li> <li>The appointment of a principal contractor who will develop a construction phase plan that safeguards the safety of workers in accordance with legal requirements; and</li> </ul> Appropriate Personal Protective Equipment (PPE) will be worn by construction workers including sub-contractors.
	EN-1 4.13.3 – 4.13.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e., from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear)	The Applicant does not consider that the Project, either in the context of the offshore wind turbine generators (WTGs), transmission infrastructure or the OnSS to fall under the Control of Major Accident Hazards (COMAH) Regulations 2015. The Project is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the

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		and the EA acting jointly in England and by the HSE and NRW acting jointly in Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.	Project does not fall under the COMAH Regulations 2015. As such, the Applicant is not seeking to develop infrastructure subject to the COMAH regulations and a safety report is not required.
Applicant Assessment	EN-1 4.13.5– 4.13.7	Applicants should consult with the HSE on matters relating to safety. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	As noted in the response above, The Applicant does not consider that the Project, falls under the COMAH Regulations 2015  The Applicant has made use of appropriate guidance to better understand the likelihood and occurrence of an accident or disaster. The description and assessment consider the vulnerability of the Project to a potential accident or disaster and also the development's potential to cause an accident or disaster. The assessment specifically assesses significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects are presented in the ES.  The Applicant has engaged with the Health and Safety Executive (HSE) through the statutory consultation carried out under section 42 of the 2008 Act. The HSE's responses and how the Applicant has had regard to these is set out in the Consultation Report (APP- 032) and Appendix 4B to the Consultation Report (APP-038)
Secretary of State decision making	EN-1 4.13.8	The SoS should be satisfied that a safety assessment has been prepared, has raised no safety objections.	It was agreed at the Scoping stage that a separate chapter on Major Accidents and Disasters within the Environmental Statement (ES) was not required. The risk of 'major accidents and/or disasters' occurring associated with any aspect of the Project, during the construction, operation and decommissioning phases are anticipated to be negligible, following guidance published by IEMA on Major Accidents and Disasters in EIA (IEMA, 2020). Instead, an outline Code of Construction Practice and Outline Pollution Prevention and Emergency Incident Response Plan has been provided as part of the DCO application (APP-268 and APP-272). A Hazard Identification (HazID) Report will be prepared and agreed with the relevant planning authority prior to construction of DCO Work  Safety elements have been assessed throughout the ES for the Project. A safety statement will be produced post consent.
<b>EN-1 Part 4.14: Hazardous substances</b>			
Hazardous Substances	EN-1 4.14.1 – 4.14.4	All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.' Where HSE does not advise against the SoS granting the consent, it will also recommend whether the consent should be granted subject to any requirements.	It is not the intention of The Applicant to apply for Hazardous Substance Consent.  Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed within Chapter 30 Human Health (APP-085).  The OnSS would contain potential pollutants which could include cooling oils, lubricants, fuels, greases, etc. The design, maintenance and operation of the facility would follow good practice in line with the prevailing future guidance and legislation with regard to measures such as the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants.  Further to this the ES (APP-055) provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards to potential pollution in the offshore and onshore

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			<p>environment. The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.</p> <p>This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project. It should also be noted that the DCO will contain a condition in the dMLs that will require a MPCP to be submitted for approval post consent which will also provide mitigation relating to the control of hazardous substances. An outline Project Environmental Management Plan (APP-277) has been provided which will control the release of contaminations relating to offshore activities. The final PEMP will also include the MPCP and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site coordinator).</p>
Applicant Assessment	EN-1 4.14.5 - 4.14.6	<p>Applicants must consult the (HSA) and HSE at pre-application stage if the Project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety.</p> <p>HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The Applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.</p>	It is not the intention of The Applicant to apply for Hazardous Substance Consent.
Secretary of State decision making	EN-1 4.14.7	Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The Secretary of State should consult HSE about this.	
<b>EN-1 Part 4.15: Common Law Nuisance and Statutory Nuisance</b>			
Common Law Nuisance and Statutory Nuisance	EN-1 4.15.1 - 4.15.4	<p>Section 158 of the Planning Act 2008 confers statutory authority for carrying out development consented to by, or doing anything else authorised by, a DCO.</p> <p>Such authority is conferred only for the purpose of providing a defence in any civil or criminal proceedings for nuisance. This would include a defence for proceedings for nuisance under Part III of the Environmental Protection Act 1990 (EPA) (statutory nuisance) but only to the extent that the nuisance is the inevitable consequence of what has been authorised.</p> <p>The defence does not extinguish the local authority's duties under Part III of the EPA 1990 to inspect its area and take reasonable steps to investigate complaints of statutory nuisance and to serve an abatement notice where satisfied of its existence, likely occurrence or recurrence.</p> <p>The defence is not intended to extend to proceedings where the matter is "prejudicial to health" and not a nuisance.</p>	Whilst paragraph 4.15.1-4.15.4 does not set out specific requirements, Chapter 26 Noise and Vibration (APP-081) outlines that the relevant statutory and non-statutory authorities and stakeholders with respect to noise have been consulted and consequent feedback has influenced the design of the Project and the proposed mitigation, including the Outline Noise and Vibration Management Plan (APP-269) which will be secured as a result of the Project.
Applicant Assessment	EN-1 4.15.5	At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration)	The Applicant has provided a Statutory Nuisance Statement (APP-301) in accordance with Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 which requires the applicant for a DCO to provide a statement as to whether the application engages

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Secretary of State decision making	EN-1 4.15.6- 4.15.7	<p>At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).</p> <p>The SoS should note that the defence of statutory authority is subject to any contrary provision made by the SoS in any particular case in a DCO (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the SoS can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.</p>	<p>Section 79(1) (Statutory nuisances and inspections therefor) of the Environmental Protection Act 1990 (the 1990 Act) and, if it does, how the applicant intends to mitigate or limit such nuisances. The Statutory Nuisance Statement draws upon the ES (APP-055) to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297). The ES, which has been prepared by the Applicant as part of the process of environmental impact assessment for the application, has analysed the potential significant effects of a number of elements specified in Section 79(1) of the 1990 Act. The Project has identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas which could suffer from nuisance are located away from the Project's infrastructure elements as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Throughout the ES, the Project proposes several mitigation measures to limit nuisance, including as outlined in the Outline Code of Construction Practice (OCocP) (APP-268) which sets out best practice measures and standard protocol which will be incorporated into the final CoCP</p> <p>The Statutory Nuisance Statement demonstrates that, with the implementation of these mitigation measures where appropriate (which will be secured by requirements attached to the DCO), claims for statutory nuisance are unlikely to arise from the Project.</p> <p>Whilst it is not expected that the construction, operation, maintenance or decommissioning of the Project would engage Section 79(1) by causing statutory nuisances, the draft DCO (APP-303) that accompanies the application contains a provision at Article 8 (Defence to proceedings in respect of statutory nuisance) to provide a defence to proceedings for statutory nuisance, should they be initiated against the Applicant (or its successors) as undertakers of the Project.</p>
<b>EN-1 Part 4.16: Security Considerations</b>			
Security Considerations	EN-1 4.16.1 - 4.16.5	<p>National security considerations apply across all national infrastructure sectors. DESNZ works closely with government security agencies including the National Protective Security Authority (NPSA) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation.</p> <p>In the UK's civil nuclear industry, security is also independently regulated by the ONR.</p> <p>Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Where applications for development consent for infrastructure covered by this NPS relate to potentially 'critical' infrastructure, there may be national security considerations.</p> <p>DESNZ will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified.</p>	<p>The Applicant has consulted to ensure that security measures have been considered and included where necessary to manage security risks. No security risks have been identified.</p> <p>DESNZ have already been notified during the pre-application stage about the proposals in line with Paragraph 4.16.5 of EN-1.</p>
Applicant Assessment	EN-1 4.16.6 – 4.16.7	<p>Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, ONR (for civil nuclear) and/or DESNZ to ensure</p>	<p>The Applicant has consulted with DESNZ to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. No security risks have been identified by CPNI, ONR (for civil nuclear) and/or DESNZ.</p>

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		security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. The applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.	ES Chapter 16: Aviation, Radar, Military and Communication (APP-071) confirms that the Applicant has been and will continue to engage with the MOD during the application process. The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar (PSR) systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
Security considerations	EN-1 4.16.8 – 4.16.10	If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the SoS, it will provide confirmation of this to the SoS. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence may take place in a closed session as set out under Examination Procedure Rules. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government’s Environmental Improvement Plan 2023.	The Applicant does not consider there to be any security implications arising from the Project and (subject to relevant consultation responses) does not, therefore, expect the SoS to have to give further consideration to the details of the security measures in its examination.
<b>EN-1 Part 5: Generic Impacts</b>			
<b>EN-1 Part 5.2: Air Quality and Emissions</b>			
Air Quality and Emissions	EN-1 5.2.1 - 5.2.2	Energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).  Legal limits for pollutants in ambient air are set out in the Air Quality Standards Regulations 2010 and for England, national objectives set out in the Air Quality (England) Regulations 2000 reiterated in the Air Quality Strategy, or for Wales, the Air Quality (Wales) Regulations 2000 and the Clean Air Plan for Wales. In addition, two fine particulate matter (PM2.5) targets were set under the Environment Act 2021 for England – an annual mean concentration target and a population exposure target. Internationally agreed emissions commitments are set in the National Emission Ceilings Regulations 2018 and establish limits for total UK emissions of key pollutants.	Chapter 19 Onshore Air Quality (APP-074) sets out several proposed measures to ensure that the Project does not have significant effects on air quality. These include: <ul style="list-style-type: none"> <li>Carrying out construction works in accordance with best practice measures; and</li> <li>The preparation of the OCoCP (APP-268) that outlines management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The document also includes a series of controls that are detailed with the Outline Air Quality Management Plan (OAQMP) (APP-270).</li> </ul> The assessment within Chapter 19 Onshore Air Quality (APP-074) also considers relevant legislation including the Air Quality Standards Regulations 2010 which support the conclusion that the Project will not result in any significant adverse effects given the thresholds/legal limits are not exceed as a result of the proposals.
	EN-1 5.2.3 - 5.2.4	For many air pollutants there is not a threshold below which there is no health impact so it is important that energy infrastructure schemes consider not just how a scheme may impact statutory air quality limits, objectives or targets but also measures to mitigate all emissions in order to minimise human exposure to air pollution, especially for those who are more susceptible to the impacts of poor air quality.	Chapter 30 Human Health (APP-085) concludes that. , no significant impacts are predicted and the change in air quality is below all statutory thresholds for health protection (during the construction phase). The Project has committed to embedded mitigation as set out in Table 30.6 in APP-085 including the development of and adherence to a CoCP during construction to mitigate all emissions and minimise human exposure to air pollution including potentially vulnerable groups as assessed in section 30.5. Potential effects in relation to Eutrophication are considered in Chapter 19 Onshore Air Quality (APP-074).

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		<p>In addition, a particular effect of air emissions from some energy infrastructure may be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of NOx and ammonia. The main emissions from energy infrastructure are from generating stations. Eutrophication can affect plant growth and functioning, altering the competitive balance of species and thereby damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal blooms, which remove oxygen from the water, adversely affecting plants and fish. The effects on ecosystems can be short term or irreversible and can have a large impact on ecosystem services such as pollination, aesthetic services and water supply.</p>	<p>Chapter 19 Onshore Air Quality (APP-074) considers air quality impacts during construction to sensitive ecological receptors as a result of dust and concludes that impacts on ecological designations are insignificant.</p>
Applicant Assessment	EN-1 5.2.8 – 5.2.11	<p>Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES. The ES should describe:</p> <ul style="list-style-type: none"> <li>▪ existing air quality concentrations and the relative change in air quality from existing levels;</li> <li>▪ any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; and</li> <li>▪ the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts.</li> </ul> <p>In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.</p> <p>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and The Applicant should ensure these are current at the point of an application. The Applicant’s assessment should be consistent with this but may include more detailed modelling to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the ExA along with the source.</p>	<p>The assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074) with further detailed information provided in the following documents:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 19 Appendix 1 Construction Dust Assessment Methodology (APP-176)</li> <li>▪ ES Chapter 19 Appendix 2 Non-Road Mobile Machinery Emissions Assessment (APP-177)</li> <li>▪ ES Chapter 19 Appendix 3 Offshore Activities Assessment (APP-178)</li> <li>▪ ES Chapter 19 Appendix 4 Road Traffic Dispersion Modelling (APP-179)</li> </ul> <p>Section 19.4 of the ES Chapter describes the baseline environment including the existing conditions and the future baseline used in the assessment of impacts. Section 19.8 provides an assessment of any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project.</p> <p>The Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance are considered in Section 19.4 to 19.9 of the Onshore Air Quality Chapter (APP-074).</p> <p>During the construction phase, the assessment focussed on potential impacts from dust, Non-Road Mobile Machinery (NRMM), and offshore vessel emissions. Results indicate negligible to minor adverse effects, all considered to be non-significant in accordance with the EIA regulations. Specific mitigation measures were outlined for dust and NRMM, contributing to the overall not significant conclusion. Temporary increases in traffic, a consequence of construction activities, were also evaluated, with the study determining these effects on human and ecological receptors to be temporary and non-significant. Traffic associated with both future planned developments and live projects and plans were considered in the assessment, which resulted in cumulative impacts being assessed.</p> <p>In relation to the operations and maintenance phase, a screening of road traffic impacts concluded that anticipated changes to the volume of traffic is below the relevant screening criteria, rendering further assessment unnecessary, as acknowledged through the received Scoping opinion. This phase was thus considered to have negligible and non-significant effects on onshore air quality.</p> <p>For decommissioning activities, these are not anticipated to exceed the MDS criteria established for the construction phase. Given that the effects associated with the construction phase are considered not significant, no additional assessment of the decommissioning phase is necessary, however a decommissioning plan will be developed in due course.</p>

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			<p>There are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</p> <p>Consideration to the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance is given within the ES Chapter.</p>
	EN-1 5.2.12	Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets or affect the ability of a noncompliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/ strategy at the time of the decision, The Applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	<p>Chapter 19 Onshore Air Quality (APP-074) assesses the risk and significance of potentially significant emissions to air, with and without appropriate mitigation and outlines that relevant air quality limits/regulations will not be breached as a result of the Project.</p> <p>As such it is considered that the ES for the Project is in accordance with paragraph 5.2.7 of EN-1.</p>
	EN-1 5.2.13	The SoS should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England or the Clean Air Plan in Wales or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance.	<p>This assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074). This is as consequence of the embedded mitigation measures set out in the chapter ,namely:</p> <ul style="list-style-type: none"> <li>▪ The OAQMP (APP-270) which includes measures relating to dust control and NRMM emissions. The construction dust assessment methodology identifies mitigation measures recommended for inclusion; and</li> <li>▪ The OCoCP (APP-268). In addition, the Outline Soil Management Plan (APP-271), which forms part of the OCoCP, and sets out the principles and procedures for general good practice mitigation for soil management.</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO and include several measures that will control air quality. This includes ensuring all construction work is undertaken in accordance with best practice measures.</p> <p>The assessment in Chapter 19 Onshore Air Quality (APP-074) has been undertaken with reference to the Air Quality Strategy in England and Defra’s LAQM guidance.TG22 (Defra, 2022) and PM2.5 targets guidance.</p>
	EN-1 5.2.14	The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	<p>The mitigation measures outlined within Section 5.14 have been included within Chapter 19 Onshore Air Quality (APP-074), ES Chapter 27: Traffic and Transport (APP-082), and the review of Section 5.14 in this policy accordance table for further information.</p> <p>ES Chapter 27 sets out a number of mitigation measures that will be beneficial in reducing air emissions from transport. These measures include :</p> <ul style="list-style-type: none"> <li>▪ An Outline CTMP that sets out the key principles and types of measures to be implemented during construction</li> <li>▪ An Outline TP which includes a range of demand management measures including a target car share ratio; and</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO.</p>
Secretary of State decision making	EN-1 5.2.15 – 5.2.16	Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government’s Environmental Improvement Plan 2023.	<p>With regard to pollution control, please see responses to NPS EN-1- 4.12</p> <p>Chapter 19 Onshore Air Quality (APP-074) outlines that with the implementation of proposed mitigation, which include the OAQMP (APP-270) and the OCoCP (APP-268), the Project will not result in the breach of any national or statutory air quality limits or objectives. The assessment set out in Chapter 19 concludes that there will be no substantial changes in air quality levels</p>

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		The SoS should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives, or targets.	To limit harm to sensitive receptors, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects. It should be noted that all sensitive receptors have been considered and no significant impacts have been identified.
	EN-1 5.2.17 – 5.2.18	The SoS should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the SoS should refuse consent.	
	EN-1 5.2.19	In all cases, the SoS must take account of any relevant statutory air quality limits objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the SoS should refuse consent.	
<b>EN-1 Part 5.3 – Greenhouse Gas Emissions</b>			
Greenhouse Gas Emissions	EN-1 5.3.1 – 5.3.3	Significant levels of energy infrastructure development are vital to ensure the decarbonisation of the UK economy. The construction, operation and decommissioning of that energy infrastructure will in itself, lead to GHG emissions.  In considering this section, applicants should also have regard to Part 2 of this NPS, which explains the current policy on climate change and how this NPS interacts with that policy, and Section 4.10 of this NPS, which deals with climate change adaptation.  As discussed in Part 2, energy infrastructure plays a vital role in decarbonisation. While all steps should be taken to reduce and mitigate climate change impacts, it is accepted that there will be residual emissions from energy infrastructure, particularly during the economy wide transition to net zero, and potentially beyond.	The Project would provide up to 100 wind turbines, supporting the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy and therefore will play a vital role in national decarbonisation.  Climate change policy and projections have been considered across each ES chapter and a GHG assessment was undertaken as part of the Chapter 31 Climate Change (APP-086) . ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed. Most importantly, the assessment demonstrated that there will be no significant impacts across all the stages of the Project.
Applicant Assessment	EN-1 5.3.4	All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.2). This should include: <ul style="list-style-type: none"> <li>▪ A whole life GHG assessment showing construction, operational and decommissioning GHG impacts including impacts from change of land use;</li> <li>▪ An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages;</li> <li>▪ Measurement of embodied GHG impact from the construction stage;</li> <li>▪ How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures;</li> <li>▪ How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology.;</li> <li>▪ Calculation of operational energy consumption and associated carbon emissions.;</li> </ul> Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate	A GHG assessment was undertaken as part of the assessment outlined in Chapter 31 Climate Change (APP-086) and addresses all the provisions set out in EN-1 Paragraph 5.3.4.  The climate change assessment for the Project involved a thorough analysis of its environmental impact throughout the entire life cycle. This included evaluating the carbon footprint associated with everything from manufacturing the raw materials for construction to the eventual recycling or disposal at the end of its 35-year lifespan, alongside the benefit produced from the renewable electricity generated.  The estimated greenhouse gas emissions for the operation phase are 5.3 million metric tons of CO2 equivalent. This calculation considered a combination of jacket/pile and Gravity-Based Structure (GBS) foundations. The Project aims to generate 7,227GWh (gigawatt-hours) of electricity annually, resulting in a relatively low carbon intensity of about 20.8 grams of CO2 equivalent per kilowatt-hour (kWh).  Comparing this to alternative electricity generation methods like gas Combined Cycle Gas Turbine (CCGT) (with carbon intensity of 371g CO2eq/kWh), the Project is expected to offset its construction-related emission in approximately two years. This highlights the Project’s environmental benefits, showing that it efficiently manages and minimises its carbon impact.

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		change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed	
Mitigation	EN-1 5.3.5 – 3.5.6	A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	<p>A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.</p> <p>The Project also meets the need in the UK for the types of energy infrastructure covered by EN-1 and contributes significantly towards the UK’s current cumulative electricity supply deployment target for 2030, supporting the UK in delivery secure, reliable and affordable energy as part of net zero commitments.</p> <p>The Project would provide up to 100 wind turbines, create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</p>
	EN-1 5.3.7	Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, peatland restoration and through other natural habitats.	<p>Approaches to reduce GHG reduction are set out in both Chapter 19 Onshore Air Quality Onshore Air Quality (APP-074) and Chapter 31 Climate Change Climate Change (APP-086) which sets out the approach to minimise GHG through proposed mitigation.</p> <p>This is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) which outlines potential areas which could serve as a carbon sink.</p>
Secretary of State decision making	EN-1 5.3.8 – 5.3.9	The SoS must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. The SoS should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development.	A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.
	EN-1 5.3.10	The SoS should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.	
	EN-1 5.3.11 – 5.3.12	Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Sections 2.4), Government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate	
			Refer to the Applicant’s response for Paragraph 5.3.4

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		commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.	
<b>EN-1 Part 5.4: Biodiversity and Geological Conservation</b>			
Biodiversity and Geological Conservation	EN-1 5.4.1 – 5.4.3	<p>Biodiversity is the variety of life in all its forms and encompasses all species of plants, animals and fungi, the genetic diversity they contain and the complex ecosystems of which they are a part. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance.</p> <p>In the 25 Year Environment Plan, the government set out its vision for a quarter-of-a-century action to help the natural world regain and retain good health. A commitment to review the plan every 5 years was set into law in the Environment Act 2021. The Environmental Improvement Plan was published in 2023, which reinforces the intent of the 25 Year Environment Plan and sets out a plan to deliver on its framework and vision. The government’s policy for biodiversity in England is set out in the Environmental Improvement Plan 2023, the National Pollinator Strategy and the UK Marine Strategy. The aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge presented by climate change. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides.</p> <p>The wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues are set out in a Government Circular. The NPPF and Natural Environment PPG document sets out good practice in England in relation to planning for biodiversity and geological conservation. In Wales, TAN 5: Nature Conservation and Planning sets out how the land use planning system should contribute to biodiversity and geological conservation</p>	<p>The Project has adopted a positive approach to biodiversity through avoiding the most sensitive ecological areas (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and all relevant policy outlined within Paragraph 5.4.1-5.4.3 has been considered in Chapter 21 Onshore Ecology (APP-076).</p> <p>The Applicant has also committed to several mitigation/compensatory measures that will enhance biodiversity.</p>
Habitats Regulations	EN-1 5.4.4 – 5.4.6	<p>The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas.</p> <p>As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required:</p> <ul style="list-style-type: none"> <li>▪ potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>▪ listed or proposed Ramsar sites; and</li> <li>▪ sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.</li> </ul> <p>The British Energy Security Strategy committed to establishing Strategic Compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information.</p>	<p>As demonstrated throughout the ES Non-Technical Summary (APP-055) and RIAA (APP-235), the Applicant has shown how any likely significant negative effects to sites identified through international conventions would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy.</p> <p>Designated sites and features have been screened, in consultation with Natural England, and considered within the RIAA (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case (APP-242) for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the [RIAA]. As set out in Section 1.2 of the derogation case and as set out in [table 13.1 of the RIAA], the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p>

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Sites of Special Scientific Interest (SSSIs)	EN-1 5.4.7 – 5.4.8	<p>Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs.</p> <p>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.</p>	<p>The Project site selection process has avoided direct interaction with all relevant SSSIs (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes 15 SSSIs (excluding geological designations). The onshore Order Limits have been designed to avoid designated sites where practicable. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on SSSIs.</p>
Marine Conservation Zones (MCZ)	EN-1 5.4.9	<p>MCZs (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act, 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries.</p>	<p>A Marine Conservation Zone Assessment (APP-157) has been undertaken by the Applicant and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Marine Protected Areas (MPA)	EN-1 5.4.10 – 5.4.11	<p>MPA is a term used to describe the network of habitat sites, SSSIs, MCZs, and Highly Protected Marine Areas (HPMAs) in the English and Welsh marine environment.</p> <p>It is important that relevant guidance on managing environmental impacts of infrastructure in marine protected areas is followed, and that equal consideration of the effect of proposals should be given to all MPAs regardless of the legislation they were designated under. This is because all sites contribute to the network of MPAs and therefore to overall network integrity. In England, government have established a MPA condition target under the Environment Act.</p>	<p>Impacts on MPA have been considered within the following chapters of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7 Marine Physical Processes (APP-062)</li> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064)</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ Chapter 11 Marine Mammals (APP-066)</li> <li>▪ 7.1 Report to Inform Appropriate Assessment (RIAA) (APP-235)</li> <li>▪ 7.2 Habitats Regulations Assessment Screening Report (APP-239)</li> <li>▪ 7.3 Report to Inform Appropriate Assessment Appendix 1: Screening Matrices (APP-240)</li> </ul> <p>See comments against EN-1 paragraph 4.2.13.</p>
Regional and Local Sites	EN-1 5.4.12 – 5.4.13	<p>Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution.</p> <p>National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.</p>	<p>The Project mapped and considered all sites of local biodiversity and geological interest as part of their constraints mapping exercises outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), ES Chapter 21 (APP-076) and Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The assessment has considered indirect impacts on locally and regionally important sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.</p> <p>The OLEMS (APP-284) sets out a number of high quality design measures that will, in addition to providing mitigation, also deliver biodiversity enhancements. Responses to Section 4.6.15 – 4.6.18 of EN-1 outlines further detail on the Applicant's compliance regarding enhancement.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats	EN-1 5.4.14 – 5.4.15	Irreplaceable habitats are habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity. Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the Government's policy for ancient and native trees and woodlands in England sets out the Government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active management. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh, scrub, and lowland fen.	Several methods within the Project have been adopted to avoid the loss of irreplaceable habitats. This includes the first phase approach of avoidance through siting of the Project infrastructure outside of these habitats and, as stated in Table 1.15 of Chapter 21 Onshore Ecology (APP-076), the adoption of trenchless techniques to avoid permanent loss of habitats, including irreplaceable and Priority habitats that could not be avoided by the siting of the Project. With mitigation in place the project will result in no significant effects relating to Priority Habitats (that include irreplaceable habitats) as concluded in APP-076.  Ancient woodlands have been scoped out of the assessment as there are no designations of this type within the Order Limits or within the study area as set out in ES Chapter 21 Onshore Ecology (reference), which is set as 2km from the Order Limits. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).  No ancient or veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible (for example features (e.g. trees) bordering a compound that can be retained). Although not progressed within the impact assessment, precautionary mitigation measures for all mature trees, including any with potential veteran tree features are proposed including avoidance measures and pre-construction surveys for any trees that must be removed (OLEMS, APP-284). Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.
Protection and enhancement of habitats and species	EN-1 5.4.16	Many individual species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action.	As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place. <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.
Applicant Assessment	EN-1 5.4.17 – 5.4.18	Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.	The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Chapter 23 Geology and Ground Conditions (APP-078).  Effects on these internationally, nationally, and locally designated sites of ecological or geological conservation importance have been assessed (where relevant), with reference to protected species identified as being important for the conservation of biodiversity both onshore and offshore. Chapters of relevance are presented in Volume 1 of the ES (DCO Application Part 6.1):

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the SoS consider thoroughly the potential effects of a proposed project.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067))</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>Other application documents of relevance outside of the ES include the:</p> <ul style="list-style-type: none"> <li>▪ Report to Inform Appropriate Assessment (APP-235)</li> <li>▪ Biodiversity Net Gain Report Principles and Approach (APP-302).</li> <li>▪ Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</li> </ul> <p>The outline Code of Construction Practice (APP-268) includes a number of measures to minimise the impact to ecology during construction.</p> <p>As noted in ES Chapter 5: EIA Methodology (APP-060), A Proportionate Approach has been adopted for the Project.</p>
	<p>EN-1 5.4.19 – 5.4.21</p>	<p>The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond BNG, which result in wider environmental gains (see Section 4.6 on Environmental and BNG). The scope of potential gains will be dependent on the type, scale, and location of each project.</p>	<p>Areas of biodiversity and geological interest have been avoided in the siting and design of the Project.. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and those specific to biological conservation interests are detailed within ES Chapter 21 Onshore Ecology (APP-076) while the effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance and siting / project refinements undertaken are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Proposals to provide enhancement have been discussed with the Environment Agency, NE and Local Wildlife Organisations via the Project’s Evidence Plan process (EPP) and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within the OLEMS (APP-284).</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076) and outline Landscape and Ecological Management Strategy (OLEMS) (APP-284). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p> <p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project and therefore operates as the Biodiversity Management Strategy referenced by draft NPS EN-1 Paragraph 5.4.36.</p> <p>The Applicant’s approach to BNG and compliance with relevant Policy is set out in the response to Section 4.6 of EN-1.</p>
	<p>EN-1 5.4.22</p>	<p>The design of Energy NSIP proposals will need to consider the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere</p>	<p>The following chapters have all considered the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065),</li> <li>▪ Chapter 11 Marine Mammals (APP-066) and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>A screening of potential transboundary effects was undertaken at the Scoping stage of the project which identified that there was no potential for significant transboundary effects to occur in relation to benthic and intertidal ecology, marine mammals and fish and shellfish ecology. While as outlined in relation to offshore and intertidal ornithology there is the potential for collisions and displacement at OWFs outside of the UK territorial waters the spatial scale and therefore seabird reference populations would be much larger and any conclusions drawn from existing cumulative impact assessments are unlikely to change.</p>
Applicant assessment- Habitats Regulation	EN-1 5.4.25	<p>The Applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to agree and record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.</p>	<p>The SoS will undertake a Habitats Regulation Assessment (HRA) in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017. As part of the HRA process, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent APP-057) with the relevant information to facilitate this HRA.</p> <p>The Applicant has liaised with Natural England and JNCC (the appropriate SNCBs) throughout the pre-application and HRA process through both statutory consultation and participation in the Evidence Plan Process (EPP). The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>In addition, comments relevant to the wider ES have been incorporated into the relevant documents on which the RIAA draws and have been taken into account indirectly during the preparation of the RIAA where relevant (this includes any comments received in the Scoping Opinion that are of relevance to designated sites and therefore the RIAA)</p> <p>Feedback on a draft version of the RIAA (Outer Dowsing Offshore Wind, 2023) was received from Natural England on 20 July 2023. Section 4 of the RIAA sets out the Applicant's response to feedback and how this has been incorporated within the submission.</p>
	EN-1 5.4.26 – 5.4.28	<p>If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.</p> <p>If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before</p>	<p>As part of the HRA process, a screening exercise has been undertaken, in consultation with the SNCB, followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>Please see the Applicant's response to paragraph 4.2.9 above.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>the close of the examination. This information must include assessment of alternative solutions, a case for IROPI and appropriate environmental compensation.</p> <p>Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow The Applicant the opportunity to provide such information following the examination.</p>	
	<p>EN-1 5.4.29 – 5.4.30</p>	<p>It is vital that applicants consider the need for compensation as early as possible in the design process as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process.</p> <p>Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.</p>	<p>As noted in the response to paragraph 4.2.9, the Applicant has provided a compensation plan in respect of kittiwake, in the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the other relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>Provisions to secure the delivery of compensation (to the extent that the Secretary of State decides that this is necessary) are set out in the draft DCO (APP-303). The compensation options and plans have been the subject of extensive consultation with relevant stakeholders, as detailed therein, both through statutory consultation carried out under section 42 of the 2008 Act and participation in the EPP and ETGs. Additionally the Applicant has participated in the Collaboration in Offshore Wind Strategic Compensation (COWSC) led by the Offshore Wind Industry Council (OWIC) and the Crown Estate Kittiwake Strategic Compensation Plan (APP-260).</p> <p>The Applicant has the ability through the DCO to deliver strategic compensation through the Marine Recovery Fund.</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243)</li> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Sandbank Compensation Implementation and Monitoring Plan (APP-245)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Biogenic Reef Compensation Implementation and Monitoring Plan (APP-247)</li> <li>▪ Without Prejudice Benthic Compensation Evidence Base and Road Map (APP-248)</li> <li>▪ Ornithology Compensation Strategy (APP-249)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Outline Kittiwake Compensation Implementation and Monitoring Plan (APP-251)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Outline Guillemot Compensation Implementation and Monitoring Plan (APP-253)</li> <li>▪ Outline Razorbill Compensation Implementation and Monitoring Plan (APP-254)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> <li>▪ TCE Strategic Kittiwake Compensation Plan (APP-260); and</li> <li>▪ Compensation Funding Statement (APP-264)</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.4.31	Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	<p>In addition to the kittiwake compensatory measures identified above the Applicant recognised the potential need to develop without prejudice compensatory measures for impacts arising from the Project from an early stage of the development. Consequently, at the outset of the Evidence Plan Process (EPP), an Expert Technical Group (ETG) was developed to cover derogation and compensation early on in the development process. After the initial meetings, this group was split into the two relevant technical workstreams (one for benthic ecology and the other for offshore ornithology).</p> <p>Consultee comments can be found in the following compensation plans listed in the response above (APP-243 – APP-264) and in the Consultation Report (APP-032).</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> </ul>
Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN – 1 5.4.32	Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase.	<p>Mitigation measures for ecological receptors including ancient woodland, ancient and veteran trees or other irreplaceable habitats are included in Table 3-4 of the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).</p> <p>For further details see the Applicant’s response to NPS EN-1 5.4.14 – 5.4.15</p>
Protection and enhancement of habitats and other species	EN-1 5.4.33 – 5.4.34	Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	<p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project.</p> <p>Compensation for loss of hedgerows and trees will be provided by re-instating native, species-rich hedgerows with heavy standard trees. Hedges will be reinstated at their original location (or as close as possible), new hedgerows will be located to re-establish links and maintain the network. New hedgerows will comprise a locally appropriate mixture of at least seven woody species and include heavy standard trees at a 3:1 ratio for any lost. Species selection will reflect established hedgerow species found within the local area and will be designed as mixed hedgerows to encourage biodiversity. Older hedgerow saplings will be used to re-establish hedgerows more quickly, as well as gap-fill existing hedges. All saplings will be planted with appropriate protection from pests.</p> <p>The Project has made a commitment to reinstate habitats as soon as practicable following construction.</p> <p>Compensation bat roost features will be provided for every potential roost feature (as identified by the pre-commencement/ pre-construction surveys) affected prior to loss. This compensation measure applies regardless of whether a confirmed roost is affected. The compensation roost features will aim to provide a functionally equivalent potential roost resource and may include re-use of cavity containing sections, re-use of whole felled trunks by setting vertically as monoliths, veteranisation (cutting and carving into healthy trees to mimic nature, to speed the process of decay and rot holes) and/or bat boxes on retained trees or installed poles, as appropriate.</p>

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			<p>Proposals to provide enhancement have been discussed with the Environment Agency, Natural England and Local Wildlife Organisations via the EPP meetings and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within OLEMS (APP-284).</p> <p>Opportunities for the creation and enhancement of arable field margins will be developed in the detailed design, with any specifications set out in the Ecological Management Plan (EMP).</p> <p>Opportunities for enhancement and creation of terrestrial habitats exist at both the OnSS and the surrounding proposed landscape screening around the OnSS. Subject to detailed design and agreement from landowners, this could include the management of habitat specifically for amphibians, along with the creation of refugia, wider and more species rich field margins, and an increase in the network of wildlife corridors for amphibian movement. Any enhancement measures would be included as part of the detailed project design and secured within the EMP. Enhancement may also include the installation of a range of bird boxes and the creation of earth banks for invertebrates, refugia for reptiles, amphibians and small mammals</p> <p>Greater Frampton Vision is a Landscape Recovery project on the edge of the Wash in Lincolnshire, England. Some of the land within the Greater Frampton Vision is within the ECC and would be impacted by works. Where habitats are lost to site clearance, a basic program of like-for-like reinstatement would be applied. However, this would be on the understanding that mitigation may be realigned to accommodate RSPB's plans for the area or where those habitats have functionality for protected species, the habitat would be reinstated and improved. An example of this is the reinstatement of hedgerow habitats in this area, where RSPB's conservation strategy is to remove hedgerows in their vision area. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). The Applicant is intent on leaving the environment in a measurably better state than before and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p> <p>In accordance with the mitigation hierarchy BNG should ideally be delivered on-site, near to where negative impacts occur, wherever possible. However, land ownership constraints may limit the scope to provide sufficient enhancement for measurable net gains within the Order Limits.</p>
Mitigation	EN-1 5.4.35	<p>Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the Applicant should demonstrate that:</p> <ul style="list-style-type: none"> <li>▪ during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</li> <li>▪ the timing of construction has been planned to avoid or limit disturbance;</li> <li>▪ during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;</li> <li>▪ habitats will, where practicable, be restored after construction works have finished;</li> <li>▪ opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site</li> </ul>	<p>In addition to the consideration of restoration, creation, and enhancement of biodiversity outlined in the response above, mitigation measures are proposed within Sections 21.7 and 21.9 of the ES Chapter 21 Onshore Ecology (APP-076) and throughout the OLEMS (APP-284) for avoidance and mitigation measures. Examples of the proposed measures include (but are not limited to):</p> <ul style="list-style-type: none"> <li>▪ Careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</li> <li>▪ Where the Order Limits crosses Local Wildlife Sites and LWT reserves (such as Anderby Creek Sand Dunes LWS), trenchless techniques will be used.</li> <li>▪ An Ecological Clerk of Works (ECOWs) will be employed to oversee construction work and minimise risks to Important Ecological Features (IEFs), as described in the OLEMS</li> </ul>

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		<p>landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised mitigations required as a result of legal protection of habitats or species will be complied with.</p>	<ul style="list-style-type: none"> <li>■ Checks for the presence of badger setts, reptiles, amphibians, hedgehogs and other protected or notable species will be carried out by the ECoW prior to vegetation clearance.</li> <li>■ In response to comments from NE the Project has committed to the retention and protection of bat flight lines during construction using protective fencing (such as Heras) to protect retained hedgerows and trees (including their root structure) from damage during construction. These will further be retained and protected through sensitive lighting design, which will be outlined in the Artificial Light Emissions Management Plan forming part of the final (CoCP).</li> <li>■ The CoCP and associated management plans include measures to reduce construction noise, dust, lighting and other emissions as well as pollution prevention measures and measures to protect and restore soils</li> <li>■ All construction work will be undertaken in accordance with the biosecurity measures outlined in section 3.4 of the OLEMS (APP-284).</li> <li>■ Removal of vegetation will take place outside of the breeding season (considered to be March – August inclusive) wherever possible.</li> <li>■ Seasonal restriction to works within 400m of core areas used by foraging brent geese at the Haven</li> <li>■ Localised working for winter works</li> </ul> <p>In addition to onshore measures, offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul> <p>During the operation and maintenance phase mitigation measures will include a Scour Protection Management Plan (SPMP), while a Decommissioning Programme will be developed for the decommissioning phase. Further details can be found in the Outline Scour Protection and Cable Protection Management Plan (APP-295).</p>
	<p>EN-1 5.4.36 and 5.4.38</p>	<p>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.</p> <p>To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.</p>	<p>The OLEMS (APP-284) acts at the Project’s approach to biodiversity management and is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302).</p> <p>The Outline Landscape and Ecological Management Strategy (OLEMS) (document APP-284) sets out the key landscape and ecology principles to inform the future Landscape Management Plan (LMP) and EMP, which are secured for submission post-consent by a requirement of the draft Development Consent Order (DCO) (APP-303) post consent. The OLEMS presents embedded mitigation with regard to habitat reinstatement, enhancement and creation. The future LMP and EMP would be based on the OLEMS principles and would set out the measures that the Applicant and their contractors would be required to adopt. The future LMP and EMP will be prepared in consultation with the Local Planning Authority (LPA). The OLEMS, therefore, operates as the Biodiversity Management Strategy referenced by NPS EN-1.</p> <p>The effects on geodiversity are considered within Chapter 23 Geology and Ground Conditions Geology and Ground Conditions (APP-078).</p> <p>Overall, through the implementation of mitigation measures, including those specified in the OCoCP (APP-268), it is considered that the likely overall effect of the Project on geodiversity and land use throughout the construction, operation and decommissioning of the Project is not significant in EIA terms.</p>

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Secretary of State decision making	EN-1 5.4.39 and 5.4.41	<p>The Government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The SoS should have regard to the aims and goals of the Government's Environmental Improvement Plan 2023 and in Wales the objectives of the Nature Recovery Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.</p> <p>The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The SoS may take account of any such net benefit in cases where it can be demonstrated.</p>	<p>With regard to biodiversity, the Applicant has committed to several mitigation/compensatory measures to enhance biodiversity. This includes the OLEMS (APP-284) that sets out a number of high quality design measures that will also deliver biodiversity enhancements. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) that outlines the commitment of the Project to adopting BNG. Outer Dowsing Offshore Wind is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities for BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 5.4.42 – 5.4.43	<p>As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.</p> <p>If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the SoS will give significant weight to any residual harm.</p>	<p>Areas of biodiversity and geological interest have been avoided as far as possible in the design of the Project through sensitive routing of the onshore and offshore Export Cable Corridor (ECC), siting of the OnSS and array areas and the location of the landfall zone. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The Applicant has undertaken careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</p> <p>Where features cannot be avoided, the Applicant has proposed suitable mitigation measures, as summarised in the response to NPS EN-1- 5.4.35 above, and where required compensation measures are proposed (as summarised in the response to NPS EN-1 5.4.33-5.4.3). Further details of onshore mitigation and compensation is provided in ES Chapter 21 Onshore Ecology (APP-076) and OLEMS (APP-284). Offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul>
	EN-1 5.4.44	<p>The SoS should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or BNG should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.</p>	<p>The draft DCO (APP-303), includes a requirement (DCO R12) for an ecological management plan (based on the outline landscape and ecological management strategy and reflecting survey results, and the ecological mitigation measures in the Environmental Statement) to be approved by the relevant planning authority in consultation with the relevant SNCB before works can commence for a particular stage of the onshore works. This requirement secures delivery of the principles set out in the OLEMS (APP-284), ES Chapter 21 Onshore Ecology (APP-076) And ES Chapter 22 Onshore Ornithology (APP-077). Confirmation of any maintenance and restoration details (such as timescales), will need to be approved within the final EMP.</p> <p>The draft DCO also includes a requirement (DCO R18) securing submission of a code of construction practice which accords with the Outline Code of Construction Practice (APP-268), and which sets out a number of environmental management plans that must be included in the code of construction practice, all for approval by the local planning authority in consultation with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO prior to commencement of works for a particular stage of the onshore works.</p>

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			Offshore mitigation is secured through the deemed marine licences (dMLs)), with approval required by the MMO prior to commencement.
	EN-1 5.4.45 – 5.4.47	<p>The SoS will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The SoS will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.</p> <p>Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The SoS should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p> <p>When considering proposals, the SoS should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering BNG as part of or in addition to the approach set out at Section 4.6.</p>	<p>Details of other licences can be found within the Other Consents and Licences document (APP-305). When the detailed design of the onshore works is being finalised, discussions of the final project details will be undertaken with Natural England. If necessary, clarification will be sought on the requirement for an EPS Licence and, if required, an application for a licence will be made.</p> <p>It is anticipated that an EPS Licence may be required for disturbance caused by piling activities. When the detailed design of the Project is being finalised, discussions of the final project details will be undertaken with the MMO. If necessary, clarification will be sought on the requirement for an EPS Licence and, if Required, an application for a licence will be made.</p> <p>The DCO contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (licence 1) and one for the offshore transmission assets (licence 2). The DCO also contains four deemed marine licences for the potential artificial nesting structures and one for benthic compensation measures if deemed necessary</p> <p>The Applicant has consulted extensively with the Natural England and MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard for these are outlined in Appendix 5.1.4 of the Consultation Report (Consultation Report Appendix 4B Section 42 Responses (APP-038)). The outcomes of the ETGs and EPP process has been recorded in EPP agreement logs submitted as part of Chapter 6 Technical Consultation (APP-061)</p>
	EN-1 5.4.48	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment	<p>The Applicant has assessed the likely significant effects of the Project on the conservation objectives through an ecological evaluation and impact assessment approach based on CIEEM Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland (CIEEM guidelines) (CIEEM, 2022), which are widely regarded as industry best practice.</p> <p>The relevant documents listed below conclude that with the implementation of appropriate mitigation measures (and other than the features identified as requiring an appropriate assessment under the RIAA - see response to NPS EN-1 5.4.26 – 5.4.28 for details), no significant effects are predicted on internationally, nationally and locally designated sites of ecological conservation importance, protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 21: Onshore Ecology (APP-076);</li> <li>▪ Chapter 22: Onshore Ornithology (APP-077); and</li> <li>▪ Report to Inform Appropriate Assessment (APP-235);</li> </ul>
Secretary of State decision	EN-1 5.4.49	The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (an habitat Site), a	As outlined in the Applicant’s response to paragraph 5.4.25, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent 6.1.2) in order to inform the SoS when

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making -Habitat Regulations		protected marine site or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects.	<p>undertaking the HRA in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>Please see the Applicant's response to paragraph 4.2.9</p>
Secretary of State decision making- Sites of Special Scientific Interest (SSSI)	EN-1 5.4.50	The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	The Applicant has submitted a draft DCO (APP-303) which contains requirements considered necessary to secure the mitigation required to ensure the conservation and enhancement of any affected site's biodiversity.
Secretary of State decision making- Marine Conservation Zones	EN-1 5.4.51	The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	<p>In order to assist the SoS with their duty the Applicant has carried out a Marine Conservation Zone Assessment (APP-157) and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Secretary of State decision making- Regional and Local Sites	EN-1 5.4.52	The Secretary of State should give due consideration to such regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.	ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The onshore Order Limits have been designed to avoid designated sites. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.
Secretary of State decision making- Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN-1 5.4.53	The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.	<p>There are no ancient woodlands within the Order Limits, or within 2km of the Order Limits. There will therefore be no loss or deterioration of ancient woodlands as a result of the Project. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not.</p>

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			Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.
Secretary of State decision making- Protection and enhancement of habitats and other species	EN-1 5.4.54 – 5.4.55	<p>The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.</p> <p>The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.</p>	<p>As outlined within the ecology related chapters of the ES, all species and habitats that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p> <p>Where an adverse effect on a European Site has not been ruled out (Flamborough and Filey Coast SPA in relation to the kittiwake feature), a derogation case has been provided (APP-242), demonstrating IROPI.</p>
<b>EN-1 Part 5.5: Civil and Military Aviation and Defence Interests</b>			
Civil and Military Aviation and Defence Interests	EN-1 5.5.1 – 5.5.4	<p>All aerodromes, covering civil and military activities, as well as aviation technical sites, meteorological radars and other types of defence interests (both onshore and offshore) can be affected by new energy development.</p> <p>Collaboration and co-existence between aviation, defence and energy industry stakeholders should be strived for to ensure scenarios such that neither is unduly compromised.</p> <p>Alongside defence and other infrastructure, energy infrastructure, such as wind turbines, are an established part of the current and expected built energy environment. However, issues such as the cumulative impact, location and increasing geographical spread and height of windfarms, can all potentially have a bearing on aviation safety, defence capabilities and weather warnings and forecasts.</p> <p>Windfarms are an integral part of our plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p>	<p>To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation, defence and energy industry stakeholders including Ministry of Defence (MOD) and NATS.</p> <p>Consultation been conducted through the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process, informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-052).</p> <p>The Applicant has assessed the Project cumulatively with other projects.</p>
Aviation	EN-1 5.5.5- 5.5.7	UK airspace is important for both civilian and military aviation interests. It is essential that new energy infrastructure is developed collaboratively alongside aerodromes, aircraft, air systems and airspace so that safety, operations and capabilities are not	The Project has been developed collaboratively alongside aerodromes, aircraft, air systems and airspace stakeholders (see Chapter 16 Aviation, Radar, Military and Communication (APP-071).

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		<p>adversely affected by new energy infrastructure. Likewise, it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.</p> <p>Commercial civil aviation is largely confined to designated corridors of controlled airspace and set approaches to airports. However, other aircraft often fly outside of 'controlled air space'.</p> <p>The approaches and flight patterns to aerodromes can be irregular owing to a variety of factors including the performance characteristics of the aircraft concerned and the prevailing meteorological conditions. It may be possible to adapt flight patterns to work alongside new energy infrastructure without impacting on aviation safety.</p>	<p>Consultation was conducted through the EIA scoping process and the statutory pre-application consultation process, informed by the PEIR. An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>The airspace above and adjacent to the array is used for both civil and military aircraft and lies within the London Flight Information Region for Air Traffic Control.</p> <p>During the construction phase, the creation of an aviation obstacle environment and increased air traffic related to wind farm construction are both considered not to be significant. During the operation and maintenance phase the creation of an aviation obstacle environment and increased air traffic related to windfarm activities are deemed not significant. A major significant impact is identified concerning specific Primary Surveillance Radar (PSR) systems when there is no mitigation considered. However, mitigation solutions for the impact in specific PSR systems will be agreed with National Air Traffic Services (NATS) and the Ministry of Defence (MOD), and will reduce the impact to not significant.</p> <p>Throughout the decommissioning phase, the removal of the aviation obstacle environment is expected to result in no change, and increased air traffic related to decommissioning activities is considered not significant. The following mitigation measure is proposed, Aviation stakeholders will be made aware of the Project decommissioning via Notices to Airmen (NOTAMs) and obstacle details will be passed to the CAA at least eight weeks before decommissioning commences. No additional mitigation measures are identified, leading to an overall assessment of not significant impact during decommissioning.</p> <p>In summary, the assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p>
Safeguarding	EN-1 5.5.8 – 5.5.20	<p>Certain civil aerodromes, and aviation technical sites, selected on the basis of their importance to the national air transport system, are officially safeguarded in order to ensure that their safety and operation are not compromised by new development. A similar official safeguarding system applies to all military aerodromes, defence surveillance sites, and other defence assets.</p> <p>Areas of airspace around aerodromes used by aircraft, including taking off or on approach and landing are described as "Obstacle Limitation Surfaces" (OLS). All civil aerodromes licensed by the Civil Aviation Authority (CAA) and all military aerodromes must comply with the OLS. These are defined according to criteria set out in relevant CAA guidance for licensed civil aerodromes and according to MOD criteria, as set by the Military Aviation Authority, which is part of the Defence Safety Authority (DSA), for military aerodromes.</p> <p>Aerodromes that are officially safeguarded will have officially produced plans that show the OLS. Care must be taken to ensure that new developments do not infringe these protected OLS except where an aerodrome operator has considered the development and either determined there to be no adverse impact or agreed an acceptable</p>	<p>See responses to Paragraphs 5.5.1 – 5.5.4 and 5.5.5- 5.5.7 which shows the Applicant's approach to consultation which will ensure safeguarded sites will not be impacted as a result of the Project. To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation and defence stakeholders including Ministry of Defence (MOD) and the Civil Aviation Authority (CAA). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>There are a number of small airfields/air strips within relatively close proximity to the onshore ECC. However, none of the onshore activities proposed would result in any of the potential risks to aviation as presented in EN-1.</p> <p>See Table 16.1 in Chapter 16.</p>

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		<p>mitigation can be put in place, as these encompass the critical airspace within which key air traffic associated with the aerodrome operates.</p> <p>The CAA’s CAP sets out that all licensed aerodromes are required to ensure they have a system in place to safeguard their aerodrome against the growth of obstacles or activities that may present a hazard to aircraft operations.</p> <p>The certified Safeguarding maps for all aerodromes (both licensed and unlicensed) depicting the OLS and other criteria (for example to minimise “birdstrike” hazards) are deposited with the relevant LPAs.</p> <p>The CAA makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator.</p> <p>There are also “Public Safety Zones” (PSZs) at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Maps showing the PSZs are deposited with the relevant LPAs. DfT Circular 01/2010 provides advice to local planning authorities on Public Safety Zones.</p> <p>The military Low Flying system covers the whole of the UK and enables low flying activities as low as 75m (mean separation distance). A considerable amount of military flying for training purposes is conducted at as low as 30m in designated Tactical Training Areas (TTAs) in mid Wales, Cumbria, the Scottish Border region and in the Electronic Warfare Range in the Scottish Border area. In addition, military helicopters may operate down to ground level.</p> <p>New energy infrastructure may cause obstructions in MOD low flying areas. A balance must be struck between defence and energy needs in these areas.</p> <p>Sufficient air training space and space for civil operations will be required and operation around structures such as wind turbines will become increasingly important as the number of these structures increase.</p>	
Communications, navigation and surveillance (CNS) infrastructure	EN-1 5.5.21 – 5.5.28	<p>Safe and efficient operations within UK airspace and defence operations are dependent upon Communications, Navigation and Surveillance (CNS) infrastructure, including radar (often referred to as ‘technical sites’).</p> <p>Energy infrastructure development may interfere with the operation of CNS systems such as radar. This is a particular problem for wind turbines as they can act as a reflector or diffractor of radio signals upon which Air Traffic Control Services and Air Defence Operations rely (an effect which is particularly likely to arise when large structures, such as wind turbines, are near Communications and Navigation Aids and technical sites).</p> <p>Wind turbines may also cause false returns and other technical issues when built in line of sight to radar installations.</p> <p>Windfarms are an integral part of the plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an official ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p> <p>Whilst it is hoped that future surveillance technologies will enable civil and military aviation, defence and meteorological surveillance providers and windfarms to meet coexistence challenges, it should not be assumed, however, that there will be sufficient advancement in surveillance technologies to meet all future requirements. A “system of systems” approach may help address the impacts on air surveillance and routine air</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Chapter 16 Aviation, Radar, Military and Communication (APP-071) confirms that the Project will result in no measurable effects upon other terrestrial based aviation CNS systems as the Project is considerably outside applicable safeguarding limits pertaining to such CNS infrastructure. NATS apply a 10km safeguarded zone around route navigation aids, and the Array area is 54km from the nearest coastline. Therefore, terrestrial CNS infrastructure (other than PSR) is not considered in detail within Chapter 16, as no sites will be affected.</p> <p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly accelerate the decarbonisation of the power sector by 2030. Substantial weight should therefore be ascribed to the balance of considerations and the presumption in favor of such developments should apply.</p>

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		<p>traffic control operations for those windfarms that exist when radar or other surveillance systems are procured, however this can add complexity to aviation safety assurance and operating practices.</p> <p>Surveillance methods that rely on cooperation alone, such as Automatic Dependent Surveillance – Broadcast (ADS-B) or Secondary Surveillance Radar transponders, are not sufficient to meet the UK’s security and national defence requirements nor would they assure the flight safety of air traffic from non-cooperative threats.</p> <p>MOD recognises that the environmental Baseline includes existing windfarms and any mitigation solutions that have been established to support them when procuring future radar systems.</p> <p>As existing CNS infrastructure reaches the end of its operational life, replacement options that are more tolerant of wind turbines, if available, should be installed by CNS owners/operators to futureproof, so far as is practicable, aerodromes against possible future turbine installations in order to maintain or enhance aviation safety. This should be considered on a case-by-case basis, so that the correct solution(s) are identified which strike the balance between surveillance quality/needs and reasonableness of costs being achieved, whilst maintaining safety.</p> <p>Applicants should provide relevant information on proposed developments to enable CNS owners/operators to consider upgrades appropriately.</p>	
Weather warnings and forecasts	EN-1 5.5.29 -5.5.32	<p>The UK weather radar network is composed of 15 weather radars that are operated and maintained by the Met Office. Each radar provides data out to 255km that underpin the Public Weather Service and the provision of critical meteorological information to a range of stakeholders including aviation, defence, civil contingencies, and the wider UK population, and in the case of severe weather, through the National Severe Weather Warning Service (NSWWS).</p> <p>Weather radars are currently the only means of detecting the presence and location of precipitation in real time. The main hazard from precipitation is flooding and assessment of the potential flood impacts are carried out in consultation with the UK’s authoritative flood agencies.</p> <p>Some energy structures, such as wind turbines, have the potential to adversely impact weather radar signals, even beyond 100km from the radar. This can lead to downstream impacts in meteorological and hydrological warning systems that use radar data, which in turn decreases the credibility of warning systems. For example, when the size of the affected area exceeds the typical size of storms, warning systems may miss the initial stages of a significant rainfall event, which can cause delays in issuing warnings.</p> <p>The Met Office protects its weather radars by engaging in the formal planning consultation process. Met Office weather radars are officially safeguarded and as per Secretary of State direction will be consulted directly on all relevant applicable planning applications within safeguarded zones by local planning authorities.</p>	The closest Met Office weather radar to the Array area is located at Ingham in Lincolnshire, 106km to the west. At a minimum range of 106km, WTGs within the array area will be significantly beyond the 20km safeguarded zone established around Ingham weather radar, and therefore unlikely to have a significant impact. As such, the potential impacts to this receptor have been scoped out of the assessment.

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Other defence interests	EN-1 5.5.33 – 5.5.36	<p>The MOD operates military training areas, military danger zones (offshore Danger and Exercise areas), military explosives storage areas and TTAs. There are extensive Danger and Exercise Areas across the UKCS for military firing and highly surveyed routes to support government shipping that are essential for national defence. In addition, the MOD retains defence maritime navigational capabilities throughout the UKCS to maintain national defence.</p> <p>Other operational defence assets may be affected by new development, for example non-aviation technical equipment such as: the Seismological Monitoring Station at Eskdalemuir; maritime acoustic facilities; communications installations including satellite ground stations; and range control radars.</p> <p>It is important that new energy infrastructure does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p> <p>The Joint industry and government Air Defence and Offshore Wind Mitigation Task Force was set up to enable the co-existence of UK Air Defence and offshore wind. The Strategy and Implementation Plan sets the direction for that collaboration. The recommendations generated from this Task Force should be referred to by both defence and energy stakeholders.</p>	<p>The Project does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p>
Applicant Assessment	EN-1 5.5.37 – 5.5.40	<p>Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).</p> <p>The requirement for Air Traffic Control (ATC) and non-cooperative surveillance – i.e. radar/tracking technologies - forms part of the environmental Baseline for proposed developments.</p> <p>The Applicant should consult the MOD, Met Office, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.</p> <p>Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Potential effects are assessed in ES Chapter 16 Aviation, Radar, Military and Communication (APP-071) and consultation undertaken with relevant civil and military aviation stakeholders is detailed. Effects on civil and military aviation during the Project phases are assessed alongside cumulative impacts.</p> <p>For civil and military radar, relevant stakeholders, including the MoD, CAA, and NATS, have been invited to meetings as a forum to discuss the potential effects on aviation and radar in the area. Consultation with relevant stakeholders was ongoing throughout the pre-application process, allowing for consultation on the potential impacts arising from the Project. This is discussed in more detail within ES Volume 1, Chapter 16: Aviation, Radar, and Military and Communication (APP-071).</p>
	EN-1 5.5.41	<p>In addition, consideration of developments near aerodromes should take into account the following factors:</p> <ul style="list-style-type: none"> <li>▪ Bird Strike Risk - Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings, and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary).E</li> </ul>	<p>There are a number of small airfields/air strips within relatively close proximity to the ECC. However, none of the activities proposed would result in any of the potential risks to aviation as presented in EN-1. The closest radar-equipped airfields to the array area are Humberside Airport, 90km to the west, and Norwich Airport, 90km south of the array area. Effects on civil and military aviation during the Project phases are assessed including aerodromes in Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071) and are not significant under EIA Regulations.</p>

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		<ul style="list-style-type: none"> <li>▪ Building Induced Turbulence - If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure.</li> </ul> <p>Thermal Plume Turbulence - This is caused under certain conditions by the release of hot air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft.</p>	
	EN-1 5.5.42	If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the Applicant to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible.	The Applicant volunteered for the Project to be part of the NSIP Reform Early Adopter Programme which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions. set out in each of the NPSs. As such, the Applicant has ensured throughout the pre-examination process and will continue to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible of any changes.
Mitigation	EN-1 5.5.43- 5.5.44	<p>The Applicant should include appropriate mitigation measures as an integral part of the proposed development.</p> <p>Mitigation for infringement of OLS may include:</p> <ul style="list-style-type: none"> <li>▪ agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome against pre-COVID-19 levels); or</li> </ul> <p>installation of obstacle lighting and/or by notification in Aeronautical Information Service publications</p>	<p>A range of embedded mitigation measures, including adhering to all relevant CAA safety guidance, the creation of an Emergency Response Co-Cooperation Plan (ERCoP), notification to aviation stakeholders, lighting and marking to minimise effects to aviation flight would apply to the Project, as described within Section 16.5 and Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071). The detail of above mitigation measures will also be agreed in consultation with appropriate stakeholders. Aviation stakeholders will be made aware of the Project via NOTAMs and obstacle details will be passed to the CAA at least eight weeks before construction commences. CAA will forward the information to MOD DGC and NATS AIS for inclusion in the AIP and on relevant civil and military aeronautical charts. Marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p> <p>The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are being discussed with NATS and MOD.</p>
	EN-1 5.5.45	<p>For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include:</p> <ul style="list-style-type: none"> <li>▪ operational airspace changes</li> <li>▪ agreement to upgrade CNS infrastructure, the cost of which the Applicant will be required to fund until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the Applicant will be required fund any future upgrade for the lifetime of the wind farm. MOD will engage early with developers to ensure the costs are reflective of their need and impacts of the energy installation on the monitoring equipment.</li> </ul> <p>introducing commercially viable radar mitigation technology to the development, e.g. by using non-radar reflecting materials to manufacture wind turbine blades.</p>	
	EN-1 5.5.46 – 5.5.48	Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way of a reduction or alteration in the scale of development. There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in	

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		<p>proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity.</p> <p>Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.</p>	
Secretary of State decision making	EN-1 5.5.49 – 5.5.50	<p>The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets have been addressed by The Applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.</p> <p>In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar / tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.51	<p>When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.</p>	<p>There are no operational changes proposed to aerodromes and therefore this does not need to be considered.</p>
	EN-1 5.5.52 – 5.5.53	<p>In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised.</p> <p>If there are conflicts between the government’s energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK’s energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.</p>	<p>Refer to comment for paragraphs 5.5.29 -5.5.32; the Project will not have significant impacts on UK weather radar as outlined within Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.54	<p>There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.</p>	<p>The Air Navigation Order 2016/765 (CAA, 2022) implements the UK’s obligations under the convention on international civil aviation and regulates aspects of aviation safety.</p> <p>The Applicant will comply with statutory requirements as secured in the draft DCO. The Applicant is committed to making and lighting the Project in accordance with relevant industry guidance and as advised by relevant stakeholders including the MCA, CCA and Trinity House.</p>
	EN-1 5.5.55 – 5.5.56	<p>Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.</p>	<p>Refer to comment for Paragraph 5.5.54.</p>

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		Where new technologies to mitigate the adverse effects of wind farms on surveillance systems, such as radar, are concerned, the Secretary of State should have regard to any Civil Aviation Authority Guidelines and/or government guidance which emerges from the joint government/Industry Aviation Management Board and the Joint Air Defence and Offshore Wind Task Force.	
	EN-1 – 5.5.57 – 5.5.58	Where suitable technological solutions have not yet been developed or proven, the Secretary of State will need to consider the likelihood of a solution becoming available within the time limit for implementation of the Development Consent Order.  Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of ‘Grampian conditions’, or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment.	The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar systems, for which mitigation solutions are being discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
	EN-1 5.5.59	Where, after reasonable mitigation, operational changes, obligations, and requirements have been proposed, the Secretary of State should consider whether: <ul style="list-style-type: none"> <li>▪ a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs;</li> <li>▪ it would cause harm to aerodromes’ training or emergency service needs;</li> <li>▪ the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training;</li> <li>▪ the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure.</li> </ul> the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UKs flood agencies	The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.  Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).
	EN-1 5.5.60	Provided that the Secretary of State is satisfied that the impacts of proposed energy developments do not present risks to national security and physical safety, and where they, provided that the Secretary of State is satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to any Development Consent Order to secure those mitigations, consent may be granted.	Marking and lighting requirements are discussed in Chapter 16 Aviation, Radar, Military and Communication (APP-071) in accordance with ANO Article 223, lighting intensity will be reduced at and below the horizontal and further reduced when visibility in all directions from every WTG is more than 5km.  The generation and transmission deemed marine licences include a condition (Condition 10 Aviation safety) requiring the undertaker to notify the Defence Infrastructure Organisation Safeguarding regarding the construction of the scheme and its parameters. This is a standard condition and follows the wording of the same condition in other consented schemes.
<b>EN-1 Part 5.6: Coastal change</b>			
Coastal Change	EN-1 5.6.1 – 5.6.3	The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The government’s aim is to ensure that our coastal communities continue to prosper and adapt to coastal change. This means planning should:	A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003). The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts

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		<ul style="list-style-type: none"> <li>▪ ensure that policies and decisions in coastal areas are based on an understanding of coastal change over time</li> <li>▪ prevent new development from being put at risk from coastal change by: <ul style="list-style-type: none"> <li>▪ avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast</li> <li>▪ directing development away from areas vulnerable to coastal change</li> </ul> </li> <li>▪ ensure that the risk to development which is, exceptionally, necessary in coastal change areas because it requires a coastal location and provides substantial economic and social benefits to communities, is managed over its planned lifetime</li> <li>▪ ensure that plans are in place to secure the long-term sustainability of coastal areas</li> </ul> <p>For the purpose of this section, coastal change means physical change to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.</p>	<p>associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p>
	EN-1 5.6.4 – 5.6.9	<p>Where Onshore infrastructure projects are proposed on the coast, coastal change is a key consideration as well as a vital element of climate change adaptation (see Section 4.10).</p> <p>Some kinds of coastal change happen very gradually, others over shorter timescales. Some are the result of purely natural processes others, including potentially significant modifications of the coastline or coastal environment resulting from climate change, are wholly or partly man-made. This section concerns both the impacts which energy infrastructure can have as a driver of coastal change, and how to ensure that developments are resilient to ongoing and potential future coastal change.</p> <p>The construction of an onshore energy project on the coast may involve, for example, dredging, dredge spoil deposition, cooling water, culvert construction, marine landing facility construction and flood and coastal protection measures which could result indirect effects on the coastline, seabed and marine ecology and biodiversity. Additionally, indirect changes to the coastline and seabed might arise as a result of a hydrodynamic response to some of these direct changes. This could lead to localised or more widespread coastal erosion or accretion and changes to offshore features such as submerged banks and ridges, marine biodiversity and heritage assets.</p> <p>This section only applies to onshore energy infrastructure projects situated on the coast. The impacts of offshore renewable energy projects on marine life and coastal geomorphology are considered in EN-3.</p> <p>Section 5.4 on biodiversity and geological conservation, Section 5.8 on flood risk and Section 4.10 on adaptation to climate change, including the increased risk of coastal erosion, are also relevant, as is advice on access to coastal recreation sites and features in Section 5.11 on land use. Advice on the historic environment in Section 5.9 may also be relevant.</p>	<p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p> <p>The effects of the Project on marine ecology, biodiversity and protected sites are considered elsewhere in the ES within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11: Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067); and</li> <li>▪ RIAA (APP-235).</li> </ul> <p>The effects of the Project on maintaining coastal recreation sites and features are set out in Chapter 18 Marine Infrastructure and Other Users (APP-073).</p>
Applicant Assessment	EN-1 5.6.10	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	An assessment of the potential impacts and predictions of the Project on Marine Physical Processes using the evidence base, project specific Baseline characterisation and project specific numerical modelling is provided in Chapter 7 Marine Physical Processes (APP-062).
	EN-1 5.6.11	The ES (see Section 4.3) should include an assessment of the effects on the coast, tidal rivers, and estuaries. In particular, applicants should assess:	The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) for the construction, O&M and decommissioning phases. The

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		<ul style="list-style-type: none"> <li>▪ the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes The Applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast</li> <li>▪ the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area)), any relevant Marine Plans, River Basin Management Plans(RBMP), and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas</li> <li>▪ the effects of the proposed project on marine ecology, biodiversity, protected sites, and heritage assets</li> <li>▪ how coastal change could affect flood risk management infrastructure, drainage, and flood risk</li> <li>▪ the effects of the proposed project on maintaining coastal recreation sites and features.</li> </ul> <p>the vulnerability of the proposed development to coastal change, taking account of climate change, during the Project’s operational life and any decommissioning period</p>	<p>impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of this chapter.</p> <p>Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). This will mitigate the impact of cable protection upon beach morphology and littoral sediment transport. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003).</p> <p>The vulnerability of the Project to coastal change is considered in the context of Landfall infrastructure in Chapter 7 Marine Physical Processes (APP-062). As noted in the response to NPS EN-1 5.6.4 – 5.6.9, The presence of annual beach nourishment means that the choice of location for the onshore HDD works and jointing bay is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change, for as long as the ‘hold the line’ strategy is in place.</p>
	EN-1 5.6.12	<p>For any projects involving dredging or deposit of any substance or object into the sea, The Applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with LNG tanker deliveries to LNG import facilities.</p>	<p>Consultation has been undertaken through the scoping process and further consultation related to impacts from dredging and deposit is detailed in Chapter 7 Marine Physical Processes (APP-062), Chapter 8: Marine Water and Sediment Quality (APP-063), Chapter 9 Benthic and Intertidal Ecology (APP-064) and Chapter 10 Fish and Shellfish Ecology (APP-065).</p> <p>The Applicant has consulted with the MMO and Historic England as to the need for dredge and disposal works, and an associated disposal site, for offshore works, and provided a Site Characteristics Report which provides the regulator with adequate information to designate a disposal site for the construction phase.</p>
	EN-1 5.6.13	<p>The Applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of MPAs. These could include MCZs, habitat sites including SAC and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identify any effects on the special character of Heritage Coasts.</p>	<p>The locations of designated sites are shown in Figure 7.9 in Chapter 7 Marine Physical Processes Figures (APP-093 to APP-094) with potential impacts considered in Section 7.12 of Chapter 7 Marine Physical Processes (APP-062).</p> <p>A list of designated sites within the Marine Physical Processes ZoI, with detail of the relevant protected features, is provided below:</p> <ul style="list-style-type: none"> <li>▪ North Norfolk Sandbanks and Saturn Reef SAC</li> <li>▪ Inner Dowsing, Race Bank and North Ridge SAC</li> <li>▪ Chapel Point – Wolla Bank SSSI</li> </ul> <p>A standalone RIAA (APP-235) and a MCZ Assessment (APP-157), has been produced detailing all matters associated with statutory designations.</p> <p>The MCZ Assessment (APP-157) has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in Chapter 9 Benthic and Intertidal Ecology (APP-064) and the RIAA (APP-235).</p>
	EN-1 5.6.14	Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.	<p>In line with paragraphs 4.3.1 to 4.3.9 of this NPS, An ES (APP-051) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022). The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects.</p> <p>ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>The ES includes Chapter 7 Marine Physical Processes (APP-062) which provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change. Section 7.5 of the Chapter sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment. The chapter highlights that the preferred Environment Agency management strategy in place along this part of the coast from 2025 to 2055 is to maintain flood defences in their current position and to raise and improve them to counter sea level rise as required.</p> <p>Section 7.9 of the chapter specifically provides the relevant mitigation measures that were identified and adopted as part of the evolution of the Project’s design (embedded into the project design) and that are relevant to physical processes.</p> <p>As such it is considered that the Project is in accordance with paragraph 5.6.14 of EN-1.</p>
Mitigation	EN-1 5.6.15	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change, which is considered in Chapter 31 Climate Change (APP-085).</p> <p>Section 7.9 of Chapter 7 Marine Physical Processes (APP-062) sets out mitigation that were identified and adopted as part of the evolution of the project design (embedded into the project design) and that are relevant to physical processes (listed in Table 7.4).</p> <p>The Project has committed to a range of mitigation measures to reduce impacts, such as installing landfall cables within cable ducts installed using HDD technology. The Project will undertake a detailed Cable Burial Risk Assessment as part of its Cable Specification and Installation Plan which will be agreed with the MMO prior to construction</p>
Secretary of State decision making	EN-1 5.6.16	The Secretary of State should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the Project's operational life and any decommissioning period. Proposals which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure.	<p>Full account has been taken of this policy in the ES accompanying the Project application (APP-055). Potential changes in climate are described in Chapter 31 Climate Change (APP-086) and are considered alongside predicted impacts.</p> <p>The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location and sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.16 of EN-1.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.6.17	The Secretary of State should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>As noted in the response to NPS EN-1 5.6.16 above, the proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change. In addition, the assessment of impacts associated with modifications to littoral transport and coastal behaviour concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p>
	EN-1 5.6.18	The Secretary of State should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>The Applicant has committed to provision of Construction Method Statements and a Cable Specification and Installation Plan within the Marine Licence Principles document (Document no. 9.12) which will capture the proposed approach to installation. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Pre construction and Post construction monitoring were both proposed conditions within the deemed marine licence and will require approval by the MMO.</p>
	EN-1 5.6.19	The Secretary of State should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e., coast on site, and site on coast.	<p>The Baseline receiving environment, and the predicted impact of the proposed project on coastal processes (including coastal protection) and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) and ES Chapter 7 Appendix 1 Physical Processes Technical Baseline (AS-003). The assessment considers the nature of ongoing shoreline change at the landfall and the potential for cables and other project infrastructure to impact coastal processes</p> <p>As noted in the response to NPS EN-1 5.6.1 – 5.6.3, historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The chapter concludes that there will be no significant effect as a result of the Project.</p>
	EN-1 5.6.20	The Secretary of State should consult the MMO on projects which could impact on coastal change in England, or NRW for projects in Wales, since the MMO or NRW may also be involved in considering other projects which may have related coastal impacts.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul> <p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p>
	EN-1 5.6.21 – 5.6.22	<p>In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents, in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.</p> <p>The Secretary of State should also have regard to any relevant Shoreline Management Plans.</p>	<p>The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and MPS policy tests of relevance to the consideration of marine physical processes. Table 7.1 specifically provides reference to the relevant SMP (Environment Agency (2019a), 'Saltfleet to Gibraltar Point Strategy'), which has been considered within the assessment.</p>
	EN-1 5.6.23	<p>Substantial weight should be attached to the risks of flooding and coastal erosion and the Secretary of State should be satisfied that The Applicant has taken full account of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.</p>	<p>Potential changes in climate and erosion are described in Appendix 7.1 Physical Processes Technical Baseline (AS-003) and are considered alongside predicted changes identified in the assessment for each stage of the development in Chapter 7 Marine Physical Processes (APP-062).</p> <p>This includes potential impacts on coastal behaviour at the landfall site.</p> <p>The assessment concludes that the effect on the coast at the Project landfall is not significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.23 of EN-1.</p>
<b>EN-1 Part 5.7: Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation</b>			
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation	EN-1 5.7.1	<p>During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. However, they are not regulated by the environmental permitting regime, so mitigation of these impacts will need to be included in the Development Consent Order.</p>	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074).</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Applicant has provided a Statutory Nuisance Statement (APP-301) which draws upon the ES to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297).</p> <p>The Project has also identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas that could suffer from nuisance are located away from the Project's infrastructure elements (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Throughout the ES, the Project proposes several mitigation measures to limit nuisance. For example, the Outline Code of Construction Practice (APP-268), and associated environmental management plans, will ensure that the Project complies with best practice measures and standard protocol to limit impacts from dust and artificial lighting.
	EN-1 5.7.3	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the applicant and Secretary of State.	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074). The assessment of dust emissions considers the following works: demolition, earthwork, construction and track out. Further details of the dust assessment can be found within Volume 3, Annex 19.1: Construction Phase Dust Assessment Methodology (APP-176). With the use of effective mitigation measures, as outlined in Annex 19.1 (APP-176) residual effects are considered to be not significant in terms of the EIA Regulations.</p> <p>With the use of effective mitigation measures, as outlined in Outline Air Quality Management Plan (APP-270), including general works measures, earthworks, trackout and maintenance and monitoring of the site residual effects are considered to be not significant in terms of the EIA regulations.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting during the hours of darkness; no significant impacts will arise from the Project with appropriate mitigation measures put in place (as set out ion the Outline Code of Construction Practice (APP-268)).</p>
	EN-1 5.7.4	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	<p>The Project has assessed the potential impacts on amenity within Chapter 29 Socio-Economic Characteristics (APP-084) and Chapter 25 Land Use (APP-080).</p> <p>Several long-distance and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however none will be closed temporarily without offering a diversion or alternative route as detailed in the Outline Public Access Management Plan (PAMP) (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p>
Applicant assessment	EN-1 5.7.5	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.	<p>The Project would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>
	EN-1 5.7.6	<p>In particular, the assessment provided by the Applicant should describe:</p> <ul style="list-style-type: none"> <li>▪ the type, quantity, and timing of emissions</li> <li>▪ aspects of the development which may give rise to emissions;</li> <li>▪ premises or locations that may be affected by the emissions;</li> <li>▪ effects of the emission on identified premises or locations;</li> </ul> <p>measures to be employed in preventing or mitigating the emissions</p>	<p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted in consideration of the different onshore activities and phases of the development with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>

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	EN-1 5.7.7	The Applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	<p>The Applicant has undertaken consultation with the relevant local planning authority regarding the air quality assessment.</p> <p>Section 19.5 of Chapter 19 Onshore Air Quality (APP-074) outlines the scope of the air quality assessment, which has been informed by both national and local planning policy and guidance, which establish best practice and experience, as well as via the consultation process with relevant consultees. This is alongside advice provided within the Scoping Opinion from The Planning Inspectorate (The Planning Inspectorate, 2022).</p> <p>The air quality assessment and assessment of the effects of visual amenity from the use of artificial lighting during the hours of darkness were included within the Preliminary Environmental Information Report (PEIR), that was published in June 2023 as part of Statutory Consultation on the Project. Feedback from local planning authorities has been incorporated within the submitted ES chapters.</p>
Mitigation	EN-1 5.7.8	<p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated</li> <li>▪ lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material</li> </ul> <p>administrative: limiting operating times; restricting activities allowed on the site; implementing management plans</p>	The Applicant has committed to provision of Construction Method Statements alongside the CoCP and associated environmental management plans (including an Air Quality Management Plan, Pollution Prevention and Emergency Incident Response Plan), that capture the applicable requirements of Paragraph 5.7.8. The Applicant has also submitted information limiting operating times, restricting activities allowed on the site and implementing management plans within the Outline Code of Construction Practice (APP-268).
	EN-1 5.7.9	Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.	<p>An Outline Code of Construction Practice (CoCP) (APP-268) is part of a suite of documents that support the DCO application submitted by the Applicant. The Outline CoCP sets out the general principles and management measures to be adopted during construction of the Onshore Infrastructure associated with the Project.</p> <p>A final CoCP will be produced and submitted to the relevant planning authority for approval prior to construction of the onshore infrastructure and will be in accordance with the principles established in the Outline CoCP. This is secured by Requirement 18 of the draft DCO (APP-303). The final CoCP will provide the mechanism to assure relevant regulatory authorities that environmental impacts associated with the construction of the Onshore Infrastructure will be controlled and mitigated.</p> <p>The majority of the detailed management measures to be captured in the CoCP are set out within the following respective outline environmental management plans</p> <ul style="list-style-type: none"> <li>▪ Outline Noise and Vibration Management Plan (APP-269)</li> <li>▪ Outline Air Quality Management Plan (APP-270)</li> <li>▪ Outline Soil Management Plan (APP-271)</li> <li>▪ Outline Pollution Prevention and Emergency Incident Response Plan (APP-272)</li> <li>▪ Outline Surface Water Drainage Strategy (APP-273)</li> <li>▪ Outline Site Waste Management Plan (APP-274)</li> </ul> <p>A Schedule of Mitigation (APP-287) is also provided with the DCO application, which provides a summary of the mitigation identified for the Project including embedded mitigation measures, which have been designed into the project</p>

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			For example, the Outline Air Quality Management Plan includes the proposal “Where feasible and commercially available, ensure equipment complies with the latest (Stage V) emission standards.”
	EN-1 5.7.10 – 5.7.11	Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. A construction management plan may help clarify and secure mitigation.	<p>The Applicant has committed to provision of Construction Method Statements. No explosive demolition is proposed as part of the construction of the development.</p> <p>If UXO are identified on the seabed following pre-construction surveys the Applicant will apply for a separate marine licence.</p> <p>In respect of the decommissioning of the Project, DCO Requirement 24 requires the undertaker to notify the relevant planning authority of the date of the permanent cessation of commercial operation of the onshore transmission works and provides that following the cessation, an onshore decommissioning plan in respect of the onshore transmission works must be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body. DCO Requirement requires an offshore decommissioning programme to be submitted to the Secretary of State prior to the commencement of offshore works.</p>
	EN-1 5.7.12	<p>The Secretary of State should satisfy itself that:</p> <ul style="list-style-type: none"> <li>an assessment of the potential for artificial light, dust, odour, smoke, steam, and insect infestation to have a detrimental impact on amenity has been carried out;</li> </ul> <p>that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts</p>	Management strategies proposed are adequate to minimise any detrimental impacts and are adequately secured within the DCO to ensure impacts are minimized. The potential for impacts to occur as a result of dust or artificial lighting have been assessed within the EIA process and significant effects are not predicted to occur. Appropriate mitigation is proposed through the CoCP (Outline Code of Construction Practice (CoCP) (APP-268)) and associated environmental management plans. The Project is therefore in accordance with NPS EN-1 paragraph 5.7.12
	EN-1 5.7.13-5.7.14	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should, disapply in whole or in part the defence through a provision in the DCO. Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures.	<p>A Statutory Nuisance Statement (APP-301) details possible sources of any statutory nuisance and how this might be mitigated or limited, through embedded design or management measures.</p> <p>With appropriate measures in place (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans), it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation.</p> <p>Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p>
	EN-1 5.7.15	In particular, the Secretary of State should consider whether to require The Applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The	A Statutory Nuisance Statement (APP-301) details the possible sources of statutory nuisance and how this might be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise

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		Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	<p>potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the outline Code of Construction Practice (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans). Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p> <p>Some impact on amenity for local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum.</p>
<b>EN-1 Part 5.8: Flood Risk</b>			
Flood Risk	EN-1 5.8.1 – 5.8.3	<p>Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial disruption and damage to property.</p> <p>The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management.</p> <p>The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The industry should consider any updates to government policy and apply updated approaches as a matter of priority.</p>	<p>The potential hydrological receptors in the study area comprise the tidal and fluvial floodplain; various watercourses, including Main Rivers and ordinary watercourses or drains; groundwater; and the near-shore tidal waters of the North Sea. These receptors vary in their environmental sensitivity</p> <p>Chapter 24 Hydrology and Flood Risk (APP-079) concludes that through the implementation of mitigation measures, including those specified in the Outline Code of Construction Practice (APP-268), and a surface water drainage scheme for the OnSS to ensure the runoff rates to the surrounding water environment are managed at rates agreed with the relevant regulatory authority, it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p> <p>The assessment is informed by and supported by the information contained within the following flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul>
	EN-1 5.8.5 – 5.8.6	<p>Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; The Applicant and the Secretary of State should take account of the policy on climate change adaptation in Section 4.10.</p> <p>The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>Flood risk has also been considered for the life of the development (from the construction-decommissioning stages in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</p>

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	EN-1 5.8.7 – 5.8.8	<p>Where new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood.</p> <p>Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are or will be at unacceptable risk of flooding, should be supported where it would result in climate-resilient infrastructure.</p>	<p>Flood risk has been a guiding influence on the siting of the onshore infrastructure and the Applicant has undertaken sequential testing as discussed in sections 8.3 (OnSS) and 9.2(Onshore ECC) of ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The sequential test and exceptions Tests are included in the Flood Risk Assessments submitted alongside ES Chapter 24 Hydrology and Flood Risk (APP-079) as contained in Appendices 24.2 Flood Risk Assessment (Onshore ECC and 400kV cable corridor and 24.3 Flood Risk Assessment (OnSS) (APP-211 and APP-212 respectively).</p> <p>Whilst this is not possible for the entirety of the Project, the FRAs (see APP-211 and APP-212) demonstrate that, as a result of the proposed mitigation, the Project will not result in significant effects with respect to flood risk.</p>
	EN-1 5.8.9 – 5.8.11	<p>If, following application of the Sequential Test, it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied as defined in <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2">https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2</a>. The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.</p> <p>The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example AONBs, SSSIs and World Heritage Sites (WHS) which would not usually be considered appropriate.</p> <p>Both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that:</p> <ul style="list-style-type: none"> <li>▪ the project would provide wider sustainability benefits to the community that outweigh flood risk; and</li> </ul> <p>the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.</p>	<p>ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines that flood risk has been a guiding influence on the siting of the OnSS (see Sections 8.3 and 9.2 for discussion on the OnSS and Onshore ECC respectively within the chapter.)</p> <p>Flood Risk reporting has been undertaken within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>Sections of the OnSS and ECC are located within flood zones 2 and 3. Therefore, in line with statutory guidance the sequential and exception tests have been applied within the above FRAs, which both conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <p>With regard to the OnSS, the area within the vicinity of the connection point is characterised by Flood Zone 3, with only a small number of pocket areas which are designated as Flood Zone 1 and 2. There were no sites large enough of flood zone 1 and 2 to accommodate the OnSS in its entirety. Each of the pocket areas were reviewed, and in comparison to the adopted site, were either considered to have a higher flood risk due to their proximity to the River Welland (and therefore at higher flood risk in a breach scenario). ; or, were unable to accommodate the OnSS due to size constraints. The Applicant, while not able to wholly apportion their site on flood risk zone 1 or 2, continued to consider the small pockets of lower flood risk while also consulting supporting data and materials to aid in a site definition with the best possible flood resilience and did identify a suitable site partially in flood zone 2</p>
	EN-1 5.8.12	<p>Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques</p>	<p>With regard to the onshore ECC, given the extent of flood zone 3 between the landfall and connection point, locating the onshore ECC outside of this flood zone would require a significant diversion (with an approximate 20km of additional cable) which would not be technically deliverable.</p> <p>The Project is an NSIP for renewable energy generation and so demonstrates wider sustainability benefits to the community that outweigh flood risk. As such it is considered that the first part of the Exception Test is passed.</p> <p>The flood risk modelling (as set out in the FRAs) has shown that during the operational phase of the onshore ECC, the Project will not be at risk of flooding, and will not increase flood risk elsewhere. The onshore ECC will only be at potential risk of flooding during the construction phase, which could lead to a temporary increase in flood risk elsewhere during this phase. It is proposed that this is managed through</p>

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			<p>appropriate mitigation measures comprising a Flood Management and Response Plan and Surface Water Drainage Strategy for the construction phase which will be submitted as part of the final CoCP.</p> <p>Based on the outcomes of the modelling undertaken and the findings of this as presented in Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212, including the mitigation measures outlined in the FRA (including design elements and an evacuation, access and egress measures), it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.</p> <p>This is following the proposed mitigation which includes an Outline Surface Water Drainage Strategy (SWDS) (document APP-273) and an Outline Code of Construction Practice (document APP-268) which set out the principles and protocols to address potential drainage and flooding issues.</p> <p>As summarised above, with further detail provided within the respective FRAs it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, meeting the requirements of the Exception Test.</p>
Applicant Assessment	EN-1 5.8.13 – 5.8.14	<p>A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> <li>▪ sites of 1 hectare or more;</li> <li>▪ land which has been identified by the EA or NRW as having critical drainage problems;</li> <li>▪ land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future;</li> <li>▪ land that may be subject to other sources of flooding (for example surface water);</li> <li>▪ where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.</li> </ul> <p>This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	<p>The Applicant has submitted site specific flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul> <p>The FRAs identify the baseline context, the potential sources of flood, a detailed assessment of the flood risk and proposed mitigation demonstrating how flood risk has been managed. Section 24.1.5 of the Onshore ECC and 400kV cable corridor and section 24.4 of the Onshore Substation FRA set out how climate change has been taken into account.</p>
	EN-1 5.8.15	<p>The minimum requirements for Flood Risk Assessments (FRA are that they should:</p> <ul style="list-style-type: none"> <li>▪ be proportionate to the risk and appropriate to the scale, nature, and location of the project;</li> <li>▪ consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</li> <li>▪ take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made;</li> </ul>	<p>Flood Risk Assessment reporting has been undertaken in consultation with the EA and Local Authorities, compliant to NPS EN-1, paragraph 5.8.15, this is included in Chapter 24 Hydrology and Flood Risk (APP-079), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p> <p>The two FRAs consider the OnSS and onshore ECC separately and both assessment meets the minimum requirements for Flood Risk Assessments as outlined in Paragraph 5.8.15.</p> <p>Consultation regarding flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022), and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023).</p>

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		<ul style="list-style-type: none"> <li>▪ be undertaken by competent people, as early as possible in the process of preparing the proposal;</li> <li>▪ consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance;</li> <li>▪ consider the vulnerability of those using the site, including arrangements for safe access and escape;</li> <li>▪ consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;</li> <li>▪ consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;</li> <li>▪ include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding;</li> <li>▪ consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the Project may affect drainage systems. Information should include: <ul style="list-style-type: none"> <li>i. Describe the existing surface water drainage arrangements for the site;</li> <li>ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates;</li> <li>iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate;</li> <li>iv. Demonstrate how the hierarchy of drainage options has been followed.</li> <li>v. Explain and justify why the types of SuDs and method of discharge have been selected and why they are considered appropriate.</li> </ul> </li> </ul>	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site</li> <li>vii. Describe the multifunctional benefits the sustainable drainage system will provide;</li> <li>viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system;</li> <li>ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere;</li> <li>x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development. <ul style="list-style-type: none"> <li>▪ detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and</li> </ul> </li> </ul> <p>be supported by appropriate data and information, including historical information on previous events.</p>	
	EN-1 5.8.16	Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	Chapter 24 Hydrology and Flood Risk (APP-079) considers relevant policy alongside the NPPF , along with guidance contained within PPG
	EN-1 5.8.17	<p>Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure:</p> <ul style="list-style-type: none"> <li>▪ Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary</li> <li>▪ Their standard of protection is not reduced</li> </ul> <p>Their condition or structural integrity is not reduced</p>	As stated in Chapter 24 Hydrology and Flood Risk (APP-079), the requirements within Paragraph 5.8.17 of EN-1 have been accounted for via the Project's design including the routing of the Onshore ECC and design of key crossing points (flood defence structures, Main Rivers, non-main and ordinary watercourses, IDB watercourses, roads, utilities, etc.), including the use of Trenchless techniques to avoid key areas of sensitivity.
	EN-1 5.8.18 – 5.8.20	<p>Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.</p> <p>Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed.</p> <p>If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, The Applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal</p>	<p>Consultation regarding hydrology, hydrogeology and flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Chapter 6 Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>The Environment Agency has been the main consultee in relation to the flood resilience requirements for the OnSS and the modelling that was required in order to determine the maximum depth to be considered in the OnSS design. Consultation with Environment Agency was undertaken as part of the EPP, as set out in Chapter 24 Hydrology and Flood Risk (APP-079).</p>

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		might be amended, or additional information provided, which would satisfy the authority's concerns.	
	EN-1 5.8.21 5.8.23	<p>The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</p> <p>The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.</p> <p>Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site.</p>	<p>The response to NPS EN-1 5.8.9 – 5.8.11 summarises the approach to the sequential test that has been taken by the applicant with regard to the OnSS and onshore ECC. Full details of the sequential test are provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p>
Mitigation	EN-1 5.8.24 – 5.8.25	<p>To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.</p> <p>In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate:</p> <ul style="list-style-type: none"> <li>▪ source control measures including rainwater recycling and drainage;</li> <li>▪ infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;</li> <li>▪ filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</li> <li>▪ filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed;</li> <li>▪ basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding;</li> </ul> <p>flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.</p>	<p>The Project employs sustainable approaches to surface water drainage. This includes the design of the OnSS which incorporates a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the OnSS location and will not increase flood risk locally or in the wider area. For further detail relating to sustainable drainage during construction see the Outline Surface Water Drainage Strategy (APP-273). The final Surface Water Drainage Strategy will be developed according to the principles of the SuDS discharge hierarchy. Generally, the aim will be to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:</p> <ul style="list-style-type: none"> <li>▪ Into the ground (infiltration);</li> <li>▪ To a surface waterbody;</li> <li>▪ To a surface water sewer, highway drain or another drainage system; or</li> <li>▪ To a combined sewer.</li> </ul> <p>An Outline Operational Drainage Management Plan (APP-286), has also been provided for the OnSS which sets out high level principles for managing surface water on the OnSS in line with best practice and the requirements of Lincolnshire County Council as the Lead Local Flood Authority (LLFA). It is proposed that impermeable surfaces within the proposed OnSS development will drain surface water via gravity to a swale running along the northern, north-eastern and north-western perimeter of the Site. This swale will serve as the primary attenuation feature for the OnSS but will also act as a conveyance feature for surface water runoff draining to the receptor, Risegate Eau. Furthermore, the swale will also satisfy water quality requirements by treating and removing contaminants from runoff prior to discharge, while also encouraging percolation of runoff to the ground. Due to the build-up of the OnSS platform, as part of the potential design additional capacity for surface water attenuation could be provided within the platform. The proposed drainage strategy demonstrates there is sufficient space and capacity at the OnSS to provide an adequate drainage system to required discharge rates. The strategy presented in the Outline Operational Drainage Management Plan (APP-286) will be developed through the detailed design process and the final plan (which is secured by requirement 15 of the draft DCO (APP-303)) will be subject to relevant approvals and refinement before construction commences.</p>

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	EN-1 5.8.26 – 5.8.29	<p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary, through the use of a planning obligation.</p> <p>The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.</p>	<p>Surface water management has been addressed during the construction phase within an Outline Surface Water Drainage Strategy (APP-273) provided as part of the Outline Code of Construction Practice (APP-268).</p> <p>Surface water management during the operational phase of the OnSS has been addressed within an Outline Operational Drainage Management Plan (APP-286). The Outline Operational Drainage Management Plan accounts for anticipated changes in peak rainfall intensity over the anticipated lifetime of development.</p> <p>The detailed (post consent) design of the surface water drainage scheme would be informed by a series of infiltration/soakaway tests carried out on site and the maximum potential attenuation volumes that are outlined in the Outline Surface Water Drainage Strategy (APP-273).</p> <p>The location of the OnSS and wider local area are underlain by bedrock geology comprising Oxford Clay Formation – Mudstone, and superficial deposits comprising Tidal Flat Deposits – Clay and Silt. Furthermore, due to the site's proximity to the tidal River Welland, the ground is likely to comprise a high water table, particularly during high tides. As such, discharge of surface water runoff from the OnSS to ground via infiltration is likely to be infeasible.</p> <p>The existing OnSS surface water runoff is understood to generally run in a south-easterly direction before spilling into an existing field drainage ditch. On the basis that the proposed OnSS will be situated close to Risegate Eau, and given that the local topography is essentially flat, the preferred method of drainage is to discharge at a restricted rate to Risegate Eau, which falls under the management of Welland &amp; Deepings IDB. The proposed drainage strategy will therefore need to demonstrate there is sufficient space and capacity on the OnSS to provide an adequate drainage system to required discharge rates. The Outline Operational Drainage Management Plan proposes the use of swales and underground attenuation in order to achieve the desired discharge rates.</p>
	EN-1 5.8.30 – 5.8.32	<p>Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided.</p> <p>Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site.</p> <p>Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.</p>	<p>ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212) reports that as part of the results analysis for the hydraulic modelling, and following discussions with the Environment Agency to determine their assessment requirements, a comparison of the flood hazard rating between the baseline existing conditions and post-development scenario has been made.</p> <p>The results demonstrate an increase in hazard rating across a number of small areas within the vicinity of the OnSS relating to a small number of properties. At all but one property the increase in peak flood depth is less than 20mm. Given how remote these increases are from the development, these are considered more likely to represent acceptable anomalies within the hydraulic modelling, rather than actual changes that would occur in the event of a breach scenario.</p> <p>Even if the above increases were considered as actual effects of the development, and not anomalies in the model, it is important to note that this risk would still be residual. The assessment has been based on a more onerous 0.1% Annual Exceedance Probability (AEP) plus climate change flood event in conjunction with a breach of the flood defences occurring. Given that the flood defences are inspected and maintained, the eventuality of this scenario occurring is small and it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. As such, the impact on flood risk is not predicted to be significant in EIA terms.</p>

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	EN-1 5.8.33	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding.	The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO. This would include a procedure for securing sensitive equipment and/or relocating materials stored in bulk.
	EN-1 5.8.34	The Applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	The FRAs for the OnSS and onshore ECC (APP-211 and APP-212) have been undertaken in consultation with the Environment Agency and local authorities which includes consideration of emergency planning documents, flood warning and evacuation procedures. The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO.
	EN-1 5.8.35	Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.	Table 24.19 of Chapter 24 Hydrology and Flood Risk (APP-079) provide an overview of proposed mitigation in relation to flood risk, which includes the use of water resilient and resistant materials. Regarding the onshore project infrastructure, cable entry and exit points within transition pits and cable junction bays will be sealed with an appropriate water proofing material to mitigate flood risk.
Secretary of State decision making	EN-1 5.8.36	<p>In determining an application for development consent, the Secretary of State should be satisfied that where relevant:</p> <ul style="list-style-type: none"> <li>▪ the application is supported by an appropriate FRA;</li> <li>▪ the Sequential Test has been applied and satisfied as part of site selection;</li> <li>▪ a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk;</li> <li>▪ the proposal is in line with any relevant national and local flood risk management strategy;</li> <li>▪ SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate;</li> <li>▪ in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42);</li> <li>▪ the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development;</li> </ul> <p>land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation, or maintenance.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>FRA reporting (APP-211 and APP-212) has been undertaken in consultation with the Environment Agency and local authorities which includes consideration and application of the sequential approach within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Based upon detail provided within the respective FRAs (Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).), it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p> <p>The OnSS design includes a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area, as detailed in the Outline Operational Drainage Management Plan (APP-286).</p> <p>The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent.</p> <p>Overall, through the implementation of mitigation measures, including those specified in the CoCP (APP-268), it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p>
	EN-1 5.8.37 – 5.8.39	For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any	As outlined in Chapter 24 Hydrology and Flood Risk (APP-079), the OnSS design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area.

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		<p>National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.</p> <p>In addition, the development consent order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted.</p> <p>Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.</p>	<p>The surface water drainage scheme is required to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates.</p> <p>The detailed (post-consent) design of the surface water drainage scheme would be informed by infiltration/soakaway tests carried out on site and the required attenuation volumes will be outlined in the supporting Flood Risk Assessment OnSS (APP-212).</p> <p>Further details with respect to drainage are contained within the Outline Operational Drainage Management Plan (APP-286) and the OCoCP (APP-268). The Outline ODMP for the OnSS has been prepared in accordance with guidance presented within the National Planning Policy Framework (NPPF)<sup>1</sup> and its associated Planning Practice Guidance (PPG)<sup>2</sup>, taking due account of current best practice documents relating to assessment of flood risk published by the British Standards Institution BS8533</p> <p>DCO Requirement 15 (Operational drainage management plan) prevents construction of the onshore HVAC substation from commencing until an operational drainage management plan in respect of works (which accords with the outline operational drainage management plan) has been submitted to and approved by the relevant planning authority, in consultation with the lead local flood authority (being Lincolnshire County Council) and the Environment Agency. The plan must include provision for the maintenance of any measures identified and must be implemented as approved</p>
	EN-1 5.8.40	<p>If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by The Applicant and the authority to try to resolve the concerns.</p>	<p>Chapter 24 Hydrology and Flood Risk (APP-079), the EA have been consulted and have provided a scoping response. The Project has drawn upon advice within the scoping response and sought to include any proposals within the scheme. At this current date, there are no concerns that have been raised by the EA that have not been addressed.</p> <p>The EA will be consulted by the relevant planning authority with regard to the consideration and approval of details to meet DCO Requirements 15 (Operational drainage management plan) and Requirement 18 (Code of construction practice), and so will be given the opportunity to review and comment on detailed design proposals for the management of surface water during construction and operation.</p>
	EN-1 5.8.41 – 5.8.42	<p>Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage and will not impede water flows.</p> <p>Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.</p>	<p>The response to 5.8.9 – 5.8.11 provides a summary of the consideration of sequential and exception test by the Applicant, with further information provided in</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059),</li> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>It can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 5.9: Historic environment			
Historic Environment	EN-1 5.9.1 – 5.9.4	<p>The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground.</p> <p>The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora.</p> <p>Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called ‘heritage assets’. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset’s physical presence, but also from its setting.</p> <p>Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are:</p> <ul style="list-style-type: none"> <li>▪ World Heritage Sites</li> <li>▪ Scheduled Monuments</li> <li>▪ Protected Wreck Sites</li> <li>▪ Protected Military Remains</li> <li>▪ Listed Buildings</li> <li>▪ Registered Parks and Gardens</li> <li>▪ Registered Battlefields</li> <li>▪ Conservation Areas</li> </ul> <p>Registered Historic Landscapes (Wales only).</p>	<p>ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) consider the designated heritage assets outlined in Paragraphs 5.9.1 – 5.9.4 of EN-1 and outline that the Project will not result in any adverse significant effects to heritage assets.</p> <p>A review of heritage assets has identified known and anticipated onshore archaeological remains within the Order Limits which may be susceptible to direct impacts. It has also identified built heritage receptors within the vicinity of the Order Limits which may be sensitive to setting change. The assessment of archaeological potential was aided by deposit modelling and field evaluation comprising a watching brief of site investigations and geophysical survey.</p> <p>The offshore assessment is informed by a desk-based review of the known marine archaeological and cultural heritages receptors and a geophysical assessment. All known and potential marine heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in ES Chapter 13 Appendix 1 Marine and Intertidal Archaeology Technical Report (APP-167).</p> <p>The onshore Archaeological DBA (APP-180 to APP-187) sets out an archaeological background to understand the archaeological sensitivity of the Order Limits. The DBA identifies potential heritage assets of an archaeological nature located within the Order Limits and describes their significance, in accordance with the requirement under National Planning Policy Framework (NPPF 2023). No designated archaeological remains would be physically affected by the Project.</p> <p>ES Chapter 20 Appendix 2 Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project’s Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 .</p>
	EN-1 5.9.5	<p>There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are:</p> <ul style="list-style-type: none"> <li>▪ those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate;</li> <li>▪ those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck Sites but are incapable of being designated by virtue of being outside the scope of the related legislation.</li> </ul> <p>those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites.</p>	<p>An Outline Onshore WSI (APP-283) and Outline Marine Archaeological WSI (APP-282) have been provided in support of the application. The requirements and conditions set out in the DCO and DMLs ensure the submission of onshore and offshore WSIs respectively which are to accord with the outline plans.</p> <p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	EN-1 5.9.6	Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments or Protected Wreck Sites should be considered subject to the policies for designated heritage assets. The absence of	Effects on designated and non-designated heritage assets are considered in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).

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		designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance.	The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.
	EN-1 5.9.7 – 5.9.8	The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets. Impacts on heritage assets specific to types of infrastructure are included in the technology specific NPSs.	No significant impacts to non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall.  In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts. On this basis there would be no residual significant effects to non-designated archaeological remains.  With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.
Applicant Assessment	EN-1 5.9.9	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 (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	Effects on designated and non-designated heritage assets have been considered within Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075). This includes assets above, at and below ground level. Consideration is given to the possible impacts, including cumulative, on the wider historic environment.  Onshore mitigation measures are set out in the OWSI for Archaeological Work (APP-283). These comprise the standard suite of archaeological mitigation works including set piece excavation, strip, map and sample, watching briefs and preservation in situ. Mitigation options will be deployed in response to the results of archaeological evaluation also set out within the OWSI.  Offshore mitigation measures are set out in the Outline Marine Archaeological WSI (APP-282) and include archaeological exclusion zones, micrositing and adherence to a protocol for archaeological discoveries.  ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), supported by the onshore DBA (APP-180 to APP-187) and the Heritage Statement (APP-188), provide a sufficient level of information to understand the likely significant heritage impacts. Assets above, at and below ground have been considered and impact to Historic Landscape Character has been assessed. Impacts are presented in section 20.7. of ES Chapter 20
	EN-1 5.9.10	As part of the ES the Applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the Applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	All known and unknown heritage assets in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Section 13.4 of Chapter 13 Marine and Intertidal Archaeology (APP-068). Potential offshore impacts on the Historic Environment of the Project is discussed in Section 13.9 and Section 13.13 of Chapter 13 Marine and Intertidal Archaeology (APP-068).  The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.  The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023)

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			<p>paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>Effects on designated and non-designated heritage assets have been considered in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p> <p>The assessment presented has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Both onshore and offshore assessments conclude there will not be any residual significant direct or indirect effects following the implementation of design measures at detailed design stage. Written Scheme of Investigations (WSIs), are proposed for both onshore and offshore elements and outline WSIs are provided within the submission documents.</p> <p>Consultation regarding Marine and Intertidal Archaeology and Onshore Archaeology and Cultural Heritage has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings; the Marine and Onshore Archaeology and Cultural Heritage ETG included Historic England, Maritime Archaeology, the MMO and Lincolnshire County Council. (LCC)</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Bilateral engagement with relevant stakeholders including Historic England and the LCC</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and,</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project consultation process is presented within the Consultation Report (APP-032)</p>
	<p>EN-1 5.9.11</p>	<p>Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, The Applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.</p>	<p>Marine archaeological and cultural heritage receptors and the archaeological potential within the marine archaeology s Study Area have been considered and assessed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167). This is informed by desk study and geophysical survey information.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Field based surveys and desk-based research have been undertaken to inform the assessment.</p> <p>The DBA references the results of field evaluation comprising a watching brief of Site Investigations, magnetometer geophysical survey and electromagnetic geophysical survey. This is in accordance with the NPPF (paragraph 194) and EN-1 (paragraph 5.9.11).</p> <p>It is noted that the targeted geophysical survey has included the footprint of the Transition Joint Bay, the only part of the Order Limits where significant impacts may have been predicted on the basis of historic</p>

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			<p>geography and archaeological potential but where a potential for preservation in situ is not possible (see ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the schedule of Mitigation (APP-287).</p> <p>At all other locations within the Order Limits where significant impacts could occur (in reference to historic geography and resulting archaeological potential) the indicative onshore infrastructure as set out in ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the Schedule of Mitigation (document APP-287) provide for the preservation in situ of remains of national importance should it be required</p> <p>Further geophysical survey has been and trial trenching will be carried out post EIA as well as post consent works set out within the Outline Onshore WSI (APP-283). These works will support the preservation in-situ of remains of national importance commitment. In these circumstances the baseline presented is considered adequate for the determination of the DCO.</p> <p>Visualisations of the OnSS are provided and include computer generated images of the proposals from viewpoints relevant to heritage assets, LVIA chapter, Chapter 28 Landscape and Visual Assessment (APP-083).</p>
	<p>EN-1 5.9.12</p>	<p>The Applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent, and detail of these studies will be proportionate to the significance of the heritage asset affected.</p>	<p>The assessment has recognised the need to understand the effects on the heritage significance of heritage assets and/or significant places. The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The archaeological significance and potential impact, including positive contribution, on the marine archaeological receptors identified within the marine archaeology Study Area was undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The Chapter sets out the MDS and relevant activities that may impact marine archaeological and cultural heritage receptors. The chapter also details further information how marine archaeological and cultural heritage receptors may be affected.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. The information provided within the Heritage Statement (APP-188) and the onshore Archaeological DBA (APP-180 to APP-187) provides for an understanding of which assets may experience adverse impact/harm. The assessment of effects to setting which may include the consideration of lighting and noise changes has been considered. It is therefore considered that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents</p>
	<p>EN-1 5.9.13</p>	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA</p>

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		<ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during</p>

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			<p>the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p> <p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
Mitigation	EN-1 5.9.16 – 5.9.18	<p>A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.</p> <p>Where the loss of the whole or part of a heritage asset’s significance is justified, the Secretary of State will require The Applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset’s importance and significance and the impact. The Applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.</p> <p>Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.</p>	<p>Requirement 17 of the draft DCO requires the Applicant to submit a WSI in accordance with the provisions set out in the Outline WSI (APP-283) and for provision to be made for the analysis, publication and dissemination of results and archive deposition.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The outline Onshore WSI notes that preservation in situ could be achieved through the micro-siting of launch and receive pits within cable installation compounds, trenchless construction techniques to avoid an open cut and easement stripping for cable installation and no-dig methods at compounds and temporary haul roads where standoffs or bog matting could be utilised respectively</p> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority.</p> <p>The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the construction of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI. Requirement 17 (Onshore archaeology) within the draft DCO (APP-303) provides that the relevant stage of the onshore works may not commence until a written scheme of archaeological investigation (which must accord with the outline onshore written scheme of investigation for archaeological works) has been submitted to and approved by Lincolnshire County Council in consultation with the relevant planning authority and Historic England. Thereafter the scheme must be undertaken in accordance with the approved details. Requirement 17 makes provision for analysis, publication and dissemination of results and archive deposition of any archaeological site investigations.</p> <p>The offshore WSI is secured through a condition of the deemed marine licence (Pre-construction plans and documentation) and will require approval in consultation with Historic England. The condition provides that the activities permitted by the marine licence may not commence until a written scheme of archaeological investigation (which must accord with the outline marine archaeological written scheme of investigation) has been submitted to and approved by the MMO.</p>
	EN-1 5.9.19 – 5.9.21	<p>Where the loss of significance of any heritage asset has been justified by The Applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:</p> <ul style="list-style-type: none"> <li>▪ imposing a requirement in the DCO</li> <li>▪ requiring The Applicant to enter into an obligation</li> </ul>	<p>The offshore assessment provided in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) concludes that throughout the construction, operation and maintenance and decommissioning phases, there is no loss of significance of any heritage assets with no additional mitigation measures identified.</p> <p>The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further</p>

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		<p>That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed.</p> <p>Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.</p>	<p>mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and microsited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</p> <p>The onshore assessment provided in ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project. The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.</p> <p>No loss of significance of non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall. In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts.</p> <p>On this basis there would be no residual significant effects to non-designated archaeological remains.</p> <p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority and MMO (in consultation with Historic England), and are controlled via DCO Requirement and condition of the deemed marine licence.</p>
Secretary of State decision making	EN-1 5.9.22	<p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:</p> <ul style="list-style-type: none"> <li>▪ relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application;</li> <li>▪ any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales</li> <li>▪ historic landscape character records;</li> <li>▪ the relevant Historic Environment Record(s), and similar sources of information;</li> </ul>	<p>The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The results of the assessments, including setting in the context of Historic Seascape Characterisation (HSC), are detailed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and are summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068).</p>

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		<ul style="list-style-type: none"> <li>representations made by interested parties during the examination process; expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.</li> </ul>	<p>The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p>
	EN-1 5.9.23	The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.	Listed Buildings, Conservation Areas and Scheduled Monuments are considered within the onshore assessment comprising ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), DBA (APP-180 to APP-187) and Heritage Statement (APP-188). ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project and no potentially significant indirect impacts have been identified for designated heritage assets.
	EN-1 5.9.24	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	The assessments presented in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) have regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.
	EN-1 5.9.25 – 5.9.26	<p>The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.</p> <p>The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>Positive contributions to knowledge and understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming relevant Method Statements, which will consider relevant research frameworks to reflect and enhance the ongoing research in the area.</p> <p>The nature of the proposals does not offer opportunities for the direct enhancement of known heritage assets. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The scheme includes embedded mitigation in the form of screen planting around the OnSS that will screen the proposals and remove any operational impact to the setting of nearby heritage assets. This includes the OLEMS (APP-284) that sets out several high quality design measures, which includes mitigation planting.</p>
	EN-1 5.9.27 – 5.9.30	<p>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.</p> <p>The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.</p>	No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. Archaeological Exclusion Zones (AEZs) (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see the Outline Marine Archaeological WSI (APP-282)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined

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		<p>Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.</p> <p>Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and WHS, should be wholly exceptional.</p>	<p>in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>With regards to onshore receptors, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains will be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	<p>EN-1 5.9.31</p>	<p>Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</p> <ul style="list-style-type: none"> <li>▪ the nature of the heritage asset prevents all reasonable uses of the site;</li> <li>▪ no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;</li> <li>▪ conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;</li> </ul> <p>the harm or loss is outweighed by the benefit of bringing the site back into use.</p>	<p>No cases have been identified where substantial harm to the heritage significance or total loss of significance of a designated heritage asset would arise</p> <p>As for onshore, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains would be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as temporary apart from indirect impacts to identified receptors where setting change caused by the proposed OnSS will affect the overall significance/importance of an asset. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	<p>EN-1 5.9.32</p>	<p>Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.</p>	<p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	<p>EN-1 5.9.33</p>	<p>In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (APP-282). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>In terms of onshore archaeology, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets.</p>
	<p>EN-1 5.9.34</p>	<p>Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site</p>	<p>The contribution of different elements of area designations has been considered within the assessment within Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p>

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		should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32 as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	<p>The contribution of different elements of a conservation area have been considered within the assessment, with no impact having been concluded by the Project.</p> <p>The Heritage Statement identifies the presence/absence of Conservation Areas within the Order Limits and a search area of up to 5km. It then assesses the potential for adverse effects/harm to Conservation Areas through setting change. Where necessary and possible, special regard to preserving or enhancing the character of a Conservation Area has been referenced through embedded design mitigation. The implementation of embedded mitigation is referenced within the proposed planting set out within LVIA Chapter 28 (APP-083). The avoidance of construction traffic through relevant Conservation Areas is set out within the Outline Construction Traffic Management Plan (CTMP) (APP-289).</p> <p>No harm to Conservation Areas is predicted with the nearest conservation area over 500m outside the Order limits. There are no World Heritage sites within the assessment study area.</p>
	EN-1 5.9.35	Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision.	<p>All known wreck sites, their archaeological significance, condition, and vulnerability, where known, is described in Section 3 of Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167)</p> <p>With regards to onshore archaeology, the heritage assets and any potential effects on these are set out in Volume 3, Appendix 20.1: Onshore Archaeology and Cultural Heritage Desk-Based Assessment (APP-180 to APP-187).</p>
	EN-1 5.9.36	When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	<p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The Project has proposed several mitigation measures to mitigate effects which include the measures set out in the OLEMS (APP-284) which sets out several high quality design measures, including mitigation planting.</p>
<b>EN-1 Part 5.10: Landscape and visual</b>			
Landscape and Visual	EN-1 5.10.1	The landscape and visual effects of energy projects will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development. In this context, references to landscape should be taken as covering seascape and townscape.	<p>Landscape and visual effects are assessed within Chapter 17 Seascape, Landscape and Visual (APP-072) (offshore) and Chapter 28 Landscape and Visual Assessment (APP-083) (onshore).</p> <p>Landscape and visual effects were also considered from the onset of the Project, in which the site selection and design approach was subject to an iterative process, meaning the most sensitive locations and receptors have been avoided. In addition, the Project has proposed several mitigation measures to mitigate effects, which includes the measures set out in the OLEMS (APP-284).</p> <p>ES Chapter 17 (APP-072) comprises the assessment of potential impacts of the Project on seascape, landscape, and visual impact assessment (SLVIA) receptors. The potential impacts from the Project on SLVIA receptors are from the array area (WTGs and Offshore Platforms) and the ORCPs within the ECC.</p> <p>Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascape character. Due to the distance of the offshore array from the coast, the Array Area of the Project will be mostly not visible to those onshore and only present in the offshore environment.</p> <p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072) presents an assessment of likely significant effects of the Project on landscape character areas (LCAs). The Project has been designed</p>
	EN-1 5.10.4 – 5.10.6	<p>Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.</p> <p>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.</p> <p>Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.</p>	

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			<p>so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advice will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts on landscape and visual receptors that will arise as a result of the construction and operational phases of the onshore components of the Project.</p> <p>The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out several high quality design measures and embedded mitigation measures, including mitigation planting.</p>
	EN-1 5.10.7 – 5.10.9	<p>National Parks, the Broads and AONBs have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints. For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be designed sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> <p>The Secretary of State has a duty of to have regard to the statutory purposes of National Parks and AONBs in Wales when making decisions about development schemes within England which affect designated landscapes in Wales. Similar regard should also be had in relation to schemes in England which have impacts on National Parks and National Scenic Areas in Scotland.</p>	<p>There are nationally designated landscapes within the Seascape, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascape, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p> <p>As referred to in Section 17.3 of Chapter 17 Seascape, Landscape and Visual (APP-072) comments have been received from NE in April 2023 in relation to the SLVIA scope. These comments set out that NE agree that potential effects resulting from elements of the Project in the Array area are likely to result in limited effects on landscape and visual receptors, including the designated/defined landscape at Spurn Head and the Norfolk Coast AONB.</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies out with the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, the Project is considered to be in accordance with paragraphs 5.9.7, 5.9.8 and 5.9.9 of NPS EN-1.</p>

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	EN-1 5.10.10 – 5.10.15	<p>Heritage Coasts are defined areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.</p> <p>Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area.</p> <p>Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p> <p>All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.</p>	<p>The potential for the Project to impact upon Heritage Coasts has been considered in Section 17.7 of Chapter 17 Seascape, Landscape and Visual Impact Assessment (APP-072).</p> <p>In relation to landscape receptors, the principal visual receptors are found along the closest section of coastlines between Donna Nook to Gibraltar Point Naturalistic Coast Landscape Character Area (LCA). This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced</p> <p>The SLVIA concludes that there are predicted moderate effects on the Donna Nook to Gibraltar Point Naturalistic Coast LCA. However, on balance these are not considered to be significant.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. At other viewpoints along the coastline the effects would be reduced due to a combination of the intervening distance and or the context of the baseline built environment, where the viewpoint is located within a settlement. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK’s renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p>
Applicant Assessment	EN-1 5.10.16 – 5.10.18	<p>The Applicant should carry out a landscape and visual impact assessment and report it in the ES, including Cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues.</p> <p>The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The Applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</p> <p>For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.</p>	<p>The Applicant has provided a seascape, landscape and visual impact assessment (SLVIA) of the offshore elements of the Project as well as a landscape and visual impact assessment (LVIA), of the onshore elements. These are included within the ES within ES Chapter 17 Seascape Landscape and Visual (APP-072) and ES Chapter 28 Landscape and Visual Impact Assessment (APP-083) respectively.</p> <p>The assessments have been undertaken in accordance with the Landscape Institute and IEMA (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), and other best practice guidance. The methodology used to undertake the SLVIA is set out in full in Appendix 17.1 (APP-174) with the LVIA methodology provided in Section 6 of the ES LVIA Chapter. Both assessments consider cumulative impacts</p>

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			<p>The LVIA has been undertaken with reference to published landscape character assessments associated studies and relevant policies for the study area are referred to in section 7.2 of the LVIA chapter.</p> <p>Section 17.7 of the SLVIA chapter takes into account the relevant landscape and seascape character assessments, and associated relevant policies based on these.</p>
	<p>EN-1: 5.10.19</p>	<p>The Applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised incorporated into the design, delivery and operation of the scheme</p>	<p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the Project throughout the pre-application process and will continue to be applied. ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted. The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. With regards careful design offshore, the WTGs and other infrastructure have been sited, as far as reasonably practical, to avoid and minimise significant effects on designated sites</p> <p>The Project has made a number of commitments to reduce and minimise the onshore impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</p>
	<p>EN-1 5.10.20</p>	<p>The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas’.</p>	<p>To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character has been undertaken for both seascapes, with regards the offshore WTGs and other offshore infrastructure see Chapter 17 Seascape, Landscape and Visual (APP-072) and landscape with regards the OnSS Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>There are no offshore effects on landscape components as a result of the offshore infrastructure of the Project. There are however potential effects on seascape components of landscape character, and perceived character of landscape designations and these are assessed in Section 17.7 of the SLVIA chapter (APP-072). For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The landscape and visual effects resulting from the onshore elements of the Project during construction and operation are assessed in section 7.2 and section 7.3 of the LVIA chapter respectively (APP-083).</p> <p>There will be significant effects on the local landscape character around the OnSS during the construction phase, extending up to a maximum range of 1.6km, due to the presence and influence of the construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 15-year period due to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The onshore programme for decommissioning is expected to be similar to that of the construction phase.</p>

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			<p>As noted in the response to NPS EN-1 5.10.7 to 5.10.9, there are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project, except .</p> <p>The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p>
	EN-1 5.10.21	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	<p>Both assessments have assessed the visual impacts of the Project</p> <p>The visual effects of the offshore elements of the Project during construction and operation, are addressed in Section 17.7 of the ES SLVIA Chapter (APP-072). There is the potential for significant effect during the construction phase on visual receptors on the closest parts of undeveloped sections of the coastline, primarily with the construction of the ORCP due to their proximity to parts of the Lincolnshire coastline. These effects are associated with the closest onshore visual receptors to the ORCPs. During the operational phase the ORCP are predicted to have significant impacts on the closest parts of undeveloped sections of the coastline. Within the decommissioning phase the effects are expected to be no greater than the construction. Therefore, the array area infrastructure is predicted to have a significant effect, and the ORCP will have a potential significant effect.</p> <p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in Section 17.7 of the SLVIA</p> <p>The onshore LVIA (APP-083) concludes that during the construction phase, visual amenity will be significantly affected for people in the local area around the OnSS, extending up to a maximum range of 1.3km due to the presence and influence of construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 5 to 15-year period owing to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p> <p>Significant cumulative effects will occur on local residents and road-users during the construction of the 400kV cable corridor and the National Grid Substation. There will also be significant cumulative effects during the construction and operational phases on three representative viewpoints owing to the cumulative interaction between the OnSS and an Anaerobic Digestion Plant, and on two viewpoints owing to the cumulative interaction between the OnSS, application stage Anaerobic Digestion Plant and the National Grid Substation. All significant effects will be reduced to not significant during a 5 to 15 year period during which mitigation planting will grow to create an effective screen around the OnSS.</p>
	EN-1 5.10.22	The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	<p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in the SLVIA</p> <p>The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p>

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	EN-1 5.10.23	Applicants are expected to justify BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower explaining why the application of modern hybrid cooling technology or other technologies is not reasonably practicable.	The Project does not propose the infrastructure outlined within Paragraph 5.10.23 of EN-1.
	EN-1 5.10.24	Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.	An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project. The proposed mitigation planting for the OnSS comprises a framework of bands of planting that connect to form an effective screen, as well as a network of corridors for nature. The bands of planting comprise woodland belts where possible, and hedgerows where restrictions over, or under cables apply. The bands of planting are mostly located along field boundaries or along roadsides.
	EN-1 5.10.25	In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.	Baseline Offshore Windfarms (OWFs) are referenced in Section 17.4 and Section 17.8 of the SLVIA Chapter (APP-072),
Mitigation	EN-1 5.10.26 – 5.10.28	<p>Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.</p> <p>Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.</p> <p>Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.</p>	<p>The Applicant has sought to minimise adverse visual and landscape effects wherever practicable, consideration for these effects have informed the Applicant’s site selection decisions as discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059), and mitigation measures proposed, such as those proposed in Chapter 29 Landscape and Visual Impact Assessment (APP-083) and Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072)..</p> <p>The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>For the onshore elements of the Project, effects on Landscape and Visual receptors are assessed in APP-083. Mitigation planting has been proposed off-site (within the order limits) that reduces the Project’s long term visual impact of the Onshore substation to non-significant after 15 years (and in some cases in as low as 5 and years).</p> <p>The Applicant submitted a Design Approach Document (APP-292) into the Examination which sets out the Applicant’s commitment to undertaking a design review process which was initiated in January 2024. A Design Principles Statement (APP-293) was also submitted and outlines the Project commitments relevant to design, these are secured through requirement 9 of the draft DCO., The Applicant has committed to updating this document throughout the examination as the design review process progresses. The Design Review has included presenting visualisations of alternative colours and roof shapes and with a review of material options.</p> <p>The Project’s landscaping proposals are contained within and secured through the OLEMS (APP-284).</p>
Secretary of State decision making	EN-1 5.10.29 – 5.10.30	The Secretary of State should take into consideration the level of detailed design which the Applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals.	As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets

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		<p>The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.</p>	<p>whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The Project design process has undergone various iterations, involving early engagement with stakeholders, communities, and landowners to seek input to refine the key elements of the Project. Consultation on refinements to the Project’s sites’ selection including alternatives, the route, layout and configuration have been undertaken through informal and formal consultation, and bilateral engagement with individual stakeholders. Feedback received has been taken into consideration throughout, via a range of means including and can be found in the Consultation Report (APP-032).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>The capacity of the landscape to accommodate the onshore elements of the Project is assessed in relation to the natural screening afforded by landform, woodlands and trees and the degree to which other surrounding infrastructure and buildings influence visual screening.</p> <p>As screening is limited in this landscape, especially in respect of the Surfleet Marsh OnSS the approach has been to locate the onshore ECC, 400kV cable corridor and the OnSS as far detached as possible from nearby settlements primarily, but also from roads and PRowS.</p> <p>The close proximity of existing electricity overhead lines to the Surfleet Marsh OnSS provides a context of electrical infrastructure across the local and wider landscapes. There is also a more distant influence from the Spalding Energy Facility, located to the south of the Surfleet Marsh OnSS. This context was considered in site selection and aligning with it is also considered to be embedded mitigation</p> <p>The Project has also adopted a Maximum Design Scenario approach as detailed within Chapter 3 Project Description (APP-058) to assess the greatest potential for change across each impact assessed, such that the design of the Project can assess impact on a “worst case scenario” and best avoid significant impact..</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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	EN-1 5.10.32	<p>When considering applications for development within National Parks, the Broads and AONB the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> <li>▪ the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;</li> <li>▪ the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3; and</li> </ul> <p>any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p>	The Project is not located in a designated landscape.
	EN-1 5.10.33	For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	
	EN-1 5.10.34	The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.	<p>There are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascope, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project. For ORCPs only, the ES concludes potential significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascope Landscape and Visual Impact Assessment (APP-072).</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p>
	EN-1 5.10.35	The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascope character. Due to the distance of the offshore array from the coast, the development will be mostly not visible to those onshore and only present in the offshore environment. This is reflected in the findings of the SLVIA Chapter (APP-072) as summarised below:

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			<p>In relation to landscape receptors, the key consideration is potential Donna Nook to Gibraltar Point Naturalistic Coast LCA. This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As outlined in Chapter 28 of the ES localised effects on the Surfleet and Gosberton Marsh LLCA within which the OnSS will be located have been identified, however Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance. The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, like the Project which is critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development.</p>
	EN-1 5.10.36	In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	<p>Refer to comments for Paragraph 5.10.34.</p> <p>Where the seascape, landscape and visual impacts of the Project are temporary or reversible, this is set out in Section 17.7 of the SLVIA Chapter (APP-072), The LVIA</p>
	EN-1 5.10.37	The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	<p>A summary of how the Applicant has carefully approached the design of the Project is provided in the response to NPS EN-1 5.10.29 – 5.10.30, with further detail provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p>
	EN-1 5.10.38	The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	The draft DCO (APP-303) includes requirements that the Applicant has considered appropriate to secure the various commitments made including Requirement 9 which requires the Applicant to submit detailed onshore design parameters to the relevant planning authority for approval prior to construction and

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			Requirement 10 which requires the submission of a written landscape management plan in accordance with the OLEMS submitted (APP-284)
<b>EN-1 Part 5.11: Land use including open space, green infrastructure, and Green Belt</b>			
Land Use, Including Open Space, Green Infrastructure, and Green Belt	EN-1 5.11.1 – 5.11.2	<p>An energy infrastructure project will have a direct effect on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development. Given the likely locations of energy infrastructure projects there may be particular effects on open space including green and blue infrastructure.</p> <p>Green Belts, defined in a local authority’s development plan in England or regional strategic development plans in Wales, are situated around certain cities and large built-up areas. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. For further information on the purposes of Green Belt policy see Chapter 13 Marine and Intertidal Archaeology of the NPPF, or any successor to it.</p>	<p>Open spaces, sports and recreational facilities have been considered in Chapter 25 Land Use (APP-080).</p> <p>The Project has undergone an iterative site selection process which has involved environmental and engineering considerations in collaboration with feedback obtained through consultation. Throughout the design process, the Project has minimised the permanent loss of land as far as practicable, alongside measures embedded to reinstate the temporarily impacted land to its original use, following the completion of the construction works. Through sensitive site selection and design the Project has minimised interaction with open spaces and green infrastructure. Land use is heavily agricultural and lacks open spaces which could be used for outdoor recreation.</p> <p>Whilst the Project interacts with Public Rights of Way the interaction will be managed through the Public Access Management Plan (PAMP) that will be submitted to the local highway authority and will accord with the principles set out in the outline PAMP (APP-291) which establishes the principles for management of PRoWs.</p> <p>In addition, the Project does not involve the loss or erosion of green belt land as no part of the Project falls within Green Belt areas and is therefore compliant with Paragraphs 5.11.1-5.11.2.</p>
	EN-1 5.11.3 – 5.11.4	<p>Although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure.</p> <p>Development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Indirect impacts may also arise from changes in the local water regime, organic matter content, soil biodiversity and soil process.</p>	<p>Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078)</p> <p>Details on existing or proposed land uses and new developments or proposed projects are assessed for potential Cumulative impacts in Chapter 25 Land Use (APP-080).</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system.</p> <p>Chapter 23 Geology and Ground Conditions (APP-078) concludes that there will be no significant impact to soil resources. This is as a result of the mitigation/best practice techniques outlined in the Outline Soil Management Plan (APP-271) which provides details of mitigation measures and best practice handling techniques to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement during the construction of the onshore infrastructure.</p>
	EN-1 5.11.5 – 5.11.6	<p>Where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum.</p> <p>The government’s policy is to ensure there is adequate provision of high-quality open space and sports and recreation facilities to meet the needs of local communities.</p>	<p>Pre-existing conditions including contamination are considered within Section 23.4.3 of Chapter 23 Geology and Ground Conditions (APP-078). The Project proposes several measures to ensure pre-existing conditions do not result in the occurrence of significant adverse effects. This includes the preparation of the Outline Soil Management Plan (APP-271) which outlines an approach to dealing with pre-existing conditions and monitoring. The code of construction practice (APP-268) will set out procedures to be followed should sources of contamination (e.g., buried asbestos) be discovered during construction phase works. If unexpected contamination is encountered or suspected, the works would cease in that</p>

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		Connecting people with open spaces, sports and recreational facilities all help to underpin people’s quality of life and have a vital role to play in promoting healthy living.	<p>area and assessment by a suitably qualified land contamination specialist would be made to determine appropriate actions</p> <p>Regarding open space and sports and recreation facilities, where practically possible, these sensitive areas have been avoided through the iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>The Country Park r would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor’s predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use were not considered to be significant, particularly with regards to several receptors where impacts can be entirely avoided through the Project’s design and bypassing beneath the receptor through the usage of trenchless techniques.</p>
	EN-1 5.11.7	Green and blue infrastructure can also enable developments to provide positive environmental, social, health and economic benefits. Green infrastructure includes green space such as parks and woodlands but also other environmental features such as street trees, hedgerows and green walls and roofs. It also includes blue infrastructure such as canals, rivers, streams, ponds lakes and their borders. Well designed and managed green and blue infrastructure provides multiple benefits at a range of scales. It can contribute to biodiversity recovery, sequester carbon, absorb surface water, cleanse pollutants, absorb noise and reduce high temperatures. The Green Infrastructure Framework – Principles and Standards for England can be used to consider green infrastructure in development and plan for good quality and targeted creation or improvement.	<p>The Applicant has committed to mitigation/compensatory measures to enhance biodiversity and enhance green and blue infrastructure. This includes the OLEMS (APP-290) that sets out high quality design measures that will also deliver biodiversity enhancements at the same time, which includes mitigation planting. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p> <p>The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes</p>
Applicant Assessment	EN-1 5.11.8	The ES (see Section 4.3) should identify existing and proposed land uses near the Project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, The Applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	<p>Detail on existing or proposed Land Uses can be found in Chapter 25 Land Use (APP-080) which provides a detailed account of the surrounding land uses, and the potential impacts associated with the Project during the construction, operation, and decommissioning phases.</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The Order Limits are also frequently crossed by Public Rights of Way (PRoWs), utilities, ecological designations, agri-environmental schemes and various outdoor areas of land with potential recreational purposes, such as a Country Park or Common Land.</p>

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			<p>During the construction phase, there are no significant residual effects associated with land use when accounting for the embedded measures of mitigation, such as the CoCP, SMP, and Public Access Management Plan (PAMP) (APP-291). Minor adverse effects on agricultural productivity and land holdings were identified, but no significant adverse residual effects were observed, through a combination of the temporary and phased nature of the impacts, as well as the integration of management plans which proved instrumental in mitigating these impacts.</p> <p>Additionally, impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use were either negligible or minor adverse, with no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>During the operation and maintenance phase, two impacts have been identified, one is not significant, however, one effect concerning the permanent loss of local agricultural land as a result of the OnSS, link boxes, and associated ancillary infrastructure is of residual major adverse effect after mitigation. Chapter 25 Land Use (APP-080) has considered potential future development and identified an application for the siting of static caravans, which has been considered within the assessment.</p>
	EN-1 5.11.9 – 5.11.10	Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport, or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicants should refer to the Green Infrastructure Framework. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	<p>Consultation is a key part of the DCO application process. Consultation regarding Land Use has been conducted via:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Technical Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (including Phase 2 Consultation, Autumn Consultation and Targeted Winter Consultation)</li> </ul> <p>An overview of the Project's consultation process is presented within ES Chapter 6 Technical Consultation (APP-061) and the Consultation Report (APP-032).</p>
	EN-1 5.11.11	During any pre-application discussions with The Applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	<p>The Project has been subject to extensive pre-application discussions with the LPAs, with those which are relevant to Land Use impacts outlined in Section 25.3 of Chapter 25 Land Use (APP-080) which includes how the key issues from the Scoping Opinion have been addressed. The related policy and legislation, including the local development plans, have been outlined in section 25.2, whilst land use assessment has been undertaken in Section 25.7 of Chapter 25.</p> <p>Routing and siting considerations that are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p>
	EN-1 5.11.12 – 5.11.13	Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	<p>The effects of onshore infrastructure associated with the Project on agricultural land are considered in Section 25.7 of Chapter 25 Land Use (APP-080).</p> <p>Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within</p>

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		Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed.	southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.  The effect on soil quality has been assessed in Chapter 23 Geology and Ground Conditions (APP-078).  An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.  Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.
	EN-1  5.11.14- 5.11.15	Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	
	EN-1  5.11.16 – 5.11.18	Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.	As presented in the Consultation Report (APP-032), the Evidence Plan Process Consultation (APP-149) and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA.  Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078).
	EN-1  5.11.19	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	The effect on mineral resources has been assessed in Chapter 23 Geology and Ground Conditions (APP-078). As noted in the baseline section of ES Chapter 23 Geology and Ground Conditions (APP-078), the study area does not overlie areas of minerals safeguarded by Lincolnshire County Council. A search of the Lincolnshire County Council planning website has not shown any extant planning permissions for mineral extraction in these areas. Published information indicates that in this region the deposits are widespread. Deposits further north within similar geologies have been quarried, however within the study area deposits have not been quarried or mined on any significant scale are unlikely to be of economic value. It is considered that the construction of the onshore ECC and proposed OnSS location will not lead to sterilisation of mineral resources.

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	EN-1 5.11.20	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.11.36 below).	The Project is not located within any Green Belts.
	EN-1 5.11.21	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria on such developments in Green Belts.	
	EN-1 5.11.22	Moreover, an applicant may be able to demonstrate that particular energy infrastructure, such as an underground pipeline, may be considered an “engineering operation” and regarded as not inappropriate in Green Belt. This is provided it preserves the openness of the Green Belt and does not conflict with the purposes of Green Belt designation. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line in a particular location would not have so harmful an impact as to conflict with the purposes of Green Belt designation, or with other protections of rural landscape	
Mitigation	EN-1 5.11.23	Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the Project and the protection of soils during construction.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and, where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p> <p>An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.</p> <p>Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.</p>

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			<p>With regard to use of agricultural land, the Project has been designed to minimise the impacts on agricultural land by aligning the ECC route along field boundaries to avoid fracturing land parcels and excess land take. The Project has also chosen the route north of the A52, which has led to the avoidance of higher graded agricultural land.</p> <p>Soils will be handled using the measures outlined in the outline SMP to allow them to maintain the same quality, which will be reinstated following construction. As the land will be reinstated to the previous quality following the construction phase, it is expected that the following sowing season would return to the same levels of agricultural productivity.</p> <p>When considering the temporary nature of the impact and the reinstatement of the soils, therefore the agricultural land itself, to the same standard, significant effects on agricultural land are not predicted to occur.</p> <p>The OnSS is located in best and most versatile (BMV) agricultural land. Rather than introducing woodland blocks or belts, as part of the landscape mitigation and ecological compensation and enhancement proposals, that would occupy fields or fragment fields and make them unusable for farming, the containment of planting along the field boundaries would minimise the disruption and enable farming to continue across most of the land surrounding the OnSS. Furthermore, the belts of woodland planting will create shelter from the winds that affect this exposed landscape and in so doing may help increase crop productivity.</p> <p>Although loss of agricultural land is minimised, the permanent loss of BMV agricultural land due to the combined effect of the OnSS and the link boxes is considered to be major (significant) in EIA terms.</p>
	EN-1 5.11.24 – 5.11.26	<p>Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes.</p> <p>The Secretary of State should also consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility.</p> <p>Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.</p>	<p>This policy has guided the consideration of embedded mitigation and ensured that the Project does not affect green infrastructure in a meaningful way.</p> <p>The Applicant has primarily sought to avoid adverse effects on green infrastructure through consideration of routing, siting and scheme design. Where there remains interaction with green infrastructure, this is predominantly via works that could potentially disrupt the PRoW network or public use of the beach area. Specifically coastal access routes and public rights of way are to be managed through the implementation of the PAMP (APP-291), a final version of which will need to be approved under DCO Requirement 18, Code of Construction Practice), such that the routes will be maintained within minimum disruption, and connectivity will be maintained.</p>
	EN-1 5.11.27	Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The Applicant should assess the impacts on, and loss of, all trees and woodlands within the Project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of	ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) illustrates how direct impacts on designated sites have been avoided through project design. Also, how blocks of woodland are avoided and the loss of individual trees and hedgerows has been minimised.

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		<p>the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.</p>	<p>Embedded mitigation measures are provided in Section 21.7 of Chapter 21 Onshore Ecology (APP-076) which account for retention of existing trees and woodland. For example, in order to mitigate the risk of loss of, or damage to veteran trees, the detailed design of the Project will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. As part of the pre-commencement surveys, any veteran or ancient trees would be identified. The Root Protection Areas (RPAs) of all retained trees and woodland would be determined by arboriculture survey. The outer extent of the RPA would be demarcated, prior to commencement of works, by fencing of a specification capable of excluding construction machinery, equipment and personnel from these areas.</p> <p>No trees will be removed for temporary access and efforts will be made to further reduce the number of trees lost through micro-siting wherever possible. Where trees are removed, they will not be replaced in situ for operational reasons (i.e. because access to the cables is required). Compensation for the loss of trees along the route will also be provided by the proposed screening planting at the OnSS (as set out in the OLEMS (APP-284).</p> <p>This is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302), which outlines the commitment of the Project to adopting Biodiversity Net Gain using the latest metric.</p>
	EN-1 5.11.28	<p>Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	<p>The Project does not overlie or result in any adverse impacts to an MSA, as confirmed within Chapter 23 Geology and Ground Conditions (APP-078).</p>
	EN-1 5.11.29	<p>Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas</p>	<p>As noted in the response to NPS EN-1 5.11.19 and confirmed in Chapter 25 Land Use (APP-080), The Project will have no long-term effects on land use.</p>
	EN-1 5.11.30 – 5.11.31	<p>Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.</p> <p>The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent.</p>	<p>Several long-distance routes and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however no public rights of ways will be closed temporarily without offering a diversion or alternative route as detailed in the Outline PAMP (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p> <p>ES Chapter 27 Traffic and Transport (APP-082) comprises the assessment of potential impacts of the Project on traffic and transport receptors, including users of Public Rights of Way (PRoW). Users of PRoW impacted by the Project's construction were assessed, identifying significant effects on specific PRoW during summer as a worst case scenario and due to shared routes with construction traffic. The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>The impacts upon outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use have been assessed in Chapter 25 Land Use and are not predicted to be significant,</p>

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			<p>particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>ES Chapter 29 Socio-Economic Characteristics (APP-084) specifically considers impacts upon recreational users of the Macmillan Way, given this long distance walking route represents a tourism and recreation asset. The Macmillan Way is a long-distance walking route that overs 290 miles and uses existing footpaths bridleways and byways. It is used for sponsored walks, with funds raised donated to Macmillan Cancer Support. The assessment references the LVIA (APP-083) noting changes in landscape along part of the route are likely to have only a minor influence on the ability of the Macmillan Way to attract users and will have no influence in its ability to accommodate users. As such, the impact of the Project upon users of the Macmillan Way is not considered to be significant.</p>
Secretary of State decision making	EN-1 5.11.32 – 5.11.33	<p>The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the Project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by The Applicant to provide new, improved or compensatory land or facilities.</p> <p>The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.</p>	<p>Detail on existing or proposed outdoor recreational land can be found in Section 25.5 of Chapter 25 Land Use (APP-080) and is assessed in Section 25.7 of the chapter. The majority of the onshore ECC and OnSS are located on agricultural land. There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>This receptor would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor's predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use are assessed within Chapter 25 Land Use (APP-080), which has predicted no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>Table 25.19 of Chapter 25 sets out embedded mitigation included the careful site selection which will ensure sensitive regions and areas of value, like playing fields will not be lost as a result of the Project.</p>
	EN-1 5.11.34	<p>The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p>	<p>The effects of Onshore infrastructure associated with the Project on agricultural land and agricultural holdings are considered in Section 25.7 of Chapter 25 Land Use (APP-080). The response to NPS EN-1 5.11.23 sets out how impacts on best and most versatile land have been minimised through site selection and mitigation and the resulting levels of impact. Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification</p>

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			process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.
	EN-1 5.11.35	In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	The Project has avoided meaningful interaction with open space such as coastal recreation sites. This is outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) in which the Project has undergone an iterative site selection process and has committed to trenchless drilling to minimise the extent of direct interaction with coastal features. This is secured by a requirement within the DCO. Whilst some temporary interaction with public rights of way is unavoidable, these interactions will be managed through the implementation of a PAMP, drafted in accordance with the principles and protocols set out in the Outline PAMP (APP-291) which comprises several mitigation measures that will ensure no effects on such amenity are significant.
	EN-1 5.11.36 – 5.11.37	When located in the Green Belt, energy infrastructure projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances. Very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources.	The Project does not interact with areas designated as Green belt and so has no impact on the Green Belt.
	EN-1 5.11.38 & 5.11.40	In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach.  Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process.	
<b>EN-1 Part 5.12: Noise and Vibration</b>			
Noise and Vibration	EN-1 5.12.1 – 5.12.2	Excessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality.  The Government's policy on noise is set out in the Noise Policy Statement for England.	Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which has enabled the Project to be assessed against the principal aims of the NPSE which is referenced here.

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		It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to the assessment of impacts of vibration.	
	EN-1 5.12.4	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production.	<p>In terms of impacts on fish and shellfish, a full underwater assessment on receptors is provided within Chapter 10 Fish and Shellfish Ecology (APP-065) and in respect of marine mammals this is set out within Chapter 11 Marine Mammals (APP-066).</p> <p>A piling MMMP will be developed and implemented during construction, following the principles set out in the Outline Marine Mammal Mitigation protocol (piling) (APP-279)) which will benefit fish and shellfish receptors in limiting noise impacts.</p> <p>Noise has been considered in respect of the onshore ecological receptors within the onshore ecology assessment with embedded mitigation set out within Section 21.7 of Chapter 21 Onshore Ecology (APP-076) and Section 22.6 of Chapter 22 Onshore Ornithology (APP-077). The embedded mitigation presented would prevent any harmful impacts as a result from noise. Section 26.7 of Chapter 26 Noise and Vibration (APP-081) has also assessed noise impacts on ecological receptors. The noise generated by all construction operations and the operational noise from the OnSS on International or National ecological sites situated near the landfall, ECC, 400kV cable corridor and OnSS have been predicted and assessed in accordance with the limits contained in AQTAG09 (Air Quality Technical Advisory Group 09), Guidance on the effects of industrial noise on wildlife, which is intended to be used to assess the potential adverse impact of sound, of an industrial and/or commercial nature on wildlife.</p> <p>The Applicant has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. The Applicant has provided an Outline Noise and Vibration Management Plan (APP-269) which sets out the noise and vibration management techniques which may (subject to the final design of the proposed Project) be implemented by the Applicant and its contractors during the construction of the onshore works.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.</p>
	EN-1 5.12.5	<p>Factors that will determine the likely noise impact of a proposed development include:</p> <ul style="list-style-type: none"> <li>▪ the inherent operational noise from the proposed development, and its characteristics</li> <li>▪ the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces)</li> <li>▪ the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality</li> <li>▪ the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species</li> </ul> <p>the potential presence of unexploded ordnance on the seabed</p>	<p>The factors listed within Paragraph 5.12.5 of EN-1 have been identified and considered in the ES assessments (and supporting appendices) within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul>
Applicant Assessment	EN-1	Where noise impacts are likely to arise from the proposed development, The Applicant should include the following in the noise assessment:	The factors listed within Paragraph 5.12.6-5.12.7 of EN-1 have been provided, where relevant, in the ES assessments (and supporting appendices) within the following chapters:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	5.12.6 – 5.12.7	<ul style="list-style-type: none"> <li>▪ a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise;</li> <li>▪ identification of noise sensitive receptors and noise sensitive areas that may be affected;</li> <li>▪ the characteristics of the existing noise environment</li> <li>▪ a prediction of how the noise environment will change with the proposed development.</li> <li>▪ in the shorter term, such as during the construction period</li> <li>▪ in the longer term, during the operating life of the infrastructure</li> <li>▪ at particular times of the day, evening, and night (and weekends) as appropriate, and at different times of year</li> <li>▪ an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life/ well-being where appropriate particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas;</li> <li>▪ if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise;</li> <li>▪ all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.</li> </ul> <p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p>	<ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>The assessment has considered all the aspects identified in paragraph 5.12.6 as set out in Sections 26.4 to 26.7 of Chapter 26 Onshore Noise and Vibration (APP-081)</p>
	EN-1 5.12.8	Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	<p>Construction and operational noise (including increased traffic levels, the use of plant and excavation works), has been assessed in Chapter 26 Noise and Vibration (APP-081). The chapter concludes construction traffic noise near the affected local road network is predicted to have a temporary minor adverse effect which is not significant under EIA Regulations with mitigation measures in place. Further to this, the Applicant has submitted an outline Code of Construction Practice (APP-268) and outline Noise and Vibration Management Plan (APP-269) which sets out the key principles and types of measures to be implemented during construction of the Project. Measures that could be implemented to mitigate noise from construction traffic on local roads include:</p> <ul style="list-style-type: none"> <li>▪ Vehicles not waiting or queuing up with engines running on the site or the public highway;</li> <li>▪ Vehicles properly maintained to comply with noise emissions standards;</li> <li>▪ Deliveries will be restricted to be within agreed working hours;</li> <li>▪ Coordination between construction phases to reduce the maximum daily construction vehicle movements, wherever practicable; and</li> <li>▪ Temporary sound barriers</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.12.9	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The assessment of operational noise, with respect to human receptors, has been undertaken in accordance with the principles in the relevant technical guidance and British Standards as outlined in Section 26.2.5 of Chapter 26 Noise and Vibration (APP-081). Noise generated by the OnSS has been predicted at the nearest residential NSRs using the March 2024 Cadna/A noise modelling software and the methodology in ISO 9613-2:1996, Acoustics – Attenuation of Sound during Propagation Outdoors, and assessed at any identified residential receptors in accordance with BS 4142:2014+A1:2019 – Methods for Rating and Assessing Industrial and Commercial Sound, whereby sound levels associated with the operation of the OnSS are compared to measured day-time and night-time background sound levels at the closest receptors.
	EN-1 5.12.10	Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e., physical design and location of development). The Applicant should consult the EA and/or the SNCB, and other relevant bodies, such as the MMO or NRW as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	The assessment of noise impacts on ecological receptors has been a point of discussion with the relevant stakeholder through the Applicant’s Evidence Plan Process (EPP). These are included in Chapter 21 Onshore Ecology (APP-076), Chapter 22 Onshore Ornithology (APP-077), Chapter 12 Offshore and Intertidal Ornithology (APP-067), Chapter 11 Marine Mammals (APP-066) and Chapter 10 Fish and Shellfish Ecology (APP-065).
	EN-1 5.12.11	In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.	A full assessment of underwater noise on fish and shellfish receptors is provided in Section 10.6 of ES Chapter 10 Fish and Shellfish Ecology (APP-065). The assessment of underwater noise impacts in-combination with other marine activities is provided in Section 10.7. ES Chapter 11 Marine Mammals (APP-066) provides an assessment of underwater noise impacts upon marine mammals and of the impacts in-combination with other marine activities.  A piling Marine Mammal Mitigation Programme (MMMP) will be developed and implemented during construction following the principles set out in the Outline MMMP (APP-278). Whilst the implementation of a MMMP is aimed at marine mammals and not at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. Embedded mitigation in relation to fish and shellfish ecology is provided in Table 10.8 of ES Chapter 10.
	EN-1 5.12.12	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	A detailed assessment of the potential impacts of Onshore Noise and Vibration from the Project is provided in ES Chapter 26 Noise and Vibration (APP-081).  The Chapter describes the scope, relevant legislation, assessment methodology, and the baseline conditions existing at the site and its surroundings. It considers any potential significant environmental effects the Project would have on this baseline environment; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed. Cumulative noise and/or vibration effects with other proposed developments that may also have an impact on the sensitive receptors close to the Project are also considered.  The Project has made a number of commitments to reduce and minimise impacts from construction noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Mitigation for reducing noise and vibration is described in Section 26.5.3 of Chapter 26 Noise and Vibration (APP-081). Additional mitigation may be required, subject to the final design, as described in the Outline Noise and Vibration Management Plan (APP-269). Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible. . Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
Mitigation	EN-1 5.12.13 – 5.12.14	<p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the Project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.</p> <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: reducing the noise generated at source and/or containing the noise generated</li> <li>▪ lay-out: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings</li> <li>▪ administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites</li> <li>▪ insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.</li> <li>▪</li> </ul>	<p>During construction, including landfall, onshore ECC, 400kV cable corridor and OnSS activities, temporary minor to major adverse noise and vibration effects are anticipated. The mitigation measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours will aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary minor adverse effects will be experienced at the identified receptors which are non-significant in terms of the EIA Regulations.</p> <p>Operational noise levels from the OnSS may result in permanent moderate adverse effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to minor adverse which are nonsignificant in terms of the EIA Regulations.</p> <p>During the decommissioning phase, anticipated noise and vibration levels during decommissioning activities are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required</p> <p>As significant noise and vibration effects are not predicted for the Project, additional mitigation is not considered necessary, or appropriate, over and above that proposed within the ES Chapters, CoCP (and associated environmental management plans including the noise and vibration management plan).</p> <p>Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303):</p> <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul>
	EN-1 5.12.15 – 5.12.16	<p>The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).</p> <p>A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government’s associated planning guidance on noise. In</p>	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project (taking into account statutory requirements like the NPPF) has undergone an iterative design and site selection process, to ensure the greatest contribution to renewable energy targets possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC, the 400kV cable corridor and OnSS.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan.</p>	<p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process. Section 3.3.3 sets out the requirement for noise attenuation within the final design of the OnSS to reduce the noise emitted from external equipment as close as possible to the source. Details of operational noise management are required to be submitted for approval prior to construction as part of the pack of final design documents, which will reflect the detailed technical specification of the actual equipment being deployed. It may be possible to procure equipment with a lower noise emission level, compared with the assumptions used for assessment, which may reduce or remove the requirement for additional mitigation.</p> <p>Section 26.2 of Chapter 26 Noise and Vibration (APP-081) provides an overview of the statutory and policy context the Project has had due regard to with respect to noise and vibration, which includes:</p> <ul style="list-style-type: none"> <li>▪ The NPSs</li> <li>▪ NPPF (also see Table 1.4 in this document)</li> <li>▪ Noise Policy Statement for England</li> <li>▪ Local Planning Policy (also see Tables 1.7 and 1.8 in this document)</li> </ul> <p>Regarding noise, the siting of the proposed OnSS has taken into account the locations of the nearest sensitive receptors and embedded measures have been proposed to avoid and mitigate effects, which are set out in Section 26.5 of Chapter 26 Noise and Vibration (APP-081). Further to this, Section 26.5.3 of Chapter 26 outlines mitigation measures that will be implemented from the construction-decommissioning stages which include the Outline Noise and Vibration Management Plan (APP-269). The measures proposed will ensure there will be no significant effects in relation to noise and vibration as confirmed within Chapter 26 Noise and Vibration (APP-081).</p>
Secretary of State decision making	EN-1  5.12.17	<p>The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</p> <ul style="list-style-type: none"> <li>▪ avoid significant adverse impacts on health and quality of life from noise;</li> <li>▪ mitigate and minimise other adverse impacts on health and quality of life from noise;</li> <li>▪ where possible, contribute to improvements to health and quality of life through the effective management and control of noise</li> </ul>	<p>Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which have enabled the Project to be assessed against the principal aims of the NPS. Appropriate mitigation and noise management and control are detailed in the Outline Noise and Vibration Management Plan (APP-269).</p> <p>During construction, potential noise and vibration effects are anticipated through measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours that aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary non-significant effects are experienced at the identified receptors.</p> <p>Unmitigated operational noise levels from the OnSS may result in significant effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to a level that is not significant.</p> <p>During the decommissioning phase, anticipated noise and vibration levels are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Project has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
	EN-1  5.12.18	When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	<p>Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303):</p> <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul> <p>No additional mitigation is therefore required; Chapter 26 Noise and Vibration (APP-081) concludes that there will be no significant effects with respect to noise and vibration following the proposed mitigation.</p>
<b>EN-1 Part 5.13: Socio-economics</b>			
Applicant Assessment	EN-1  5.13.2 – 5.13.3	<p>Where the Project is likely to have socio-economic impacts at local or regional levels, the Applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3).</p> <p>The Applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that The Applicant can gain a better understanding of local or regional issues and opportunities.</p>	<p>Impacts on the region have been outlined within Chapter 29 Socio-Economic Characteristics (APP-084). The feedback from the consultation programme and members of the Expert Topic Groups, including relevant local authorities, is outlined in Chapter 29 Socio-Economic Characteristics (APP-055).</p> <p>ES Chapter 29 Socio-Economic Characteristics (APP-084) comprises the assessment of potential impacts of the Project on socio-economic, tourism and recreation receptors. The assessment recognises that economic impacts will occur across a wider area than the area of the onshore export cable route and onshore substation site (OnSS). Impacts will also be centred around other areas such as the potential ports used for construction and operations. Therefore, economic impacts have been quantified across three onshore study areas.</p> <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas. This area includes all the potential sites for onshore infrastructure construction and the possible location of the key port locations in the UK.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK.</li> </ul> <p>Consultation regarding Socioeconomics, Tourism and Recreation has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Volume 1, Chapter 6: Technical Consultation (APP 6.1.6) and wider consultation is presented in the Consultation Report (APP-032).</p>
	EN-1  5.13.4	<p>The Applicant's assessment should consider all relevant socio-economic impacts, which may include:</p> <ul style="list-style-type: none"> <li>▪ the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero;</li> </ul>	<p>Chapter 29 Socio-Economic Characteristics (APP-084) has considered all relevant socio-economic impacts. Throughout this chapter the impacts on socioeconomics and tourism from the construction, operations and decommissioning of the Project are considered. In particular, the following impacts have been considered:</p> <ul style="list-style-type: none"> <li>▪ Impacts on employment are considered in Section 29.8;</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ the contribution to the development of low-carbon industries at the local and regional level as well as nationally;</li> <li>▪ the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities;</li> <li>▪ any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains;</li> <li>▪ effects (positive or negative) on tourism and other users of the area impacted;</li> <li>▪ the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development;</li> <li>▪ Cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Impacts on local services and social infrastructure, such as schools and health services are considered in Section 29.8;</li> <li>▪ Sustainability of jobs is considered alongside the impact on employment from the Project in Section 29.8;</li> <li>▪ The contribution to the development of low-carbon industries in each of the Study Areas is considered in Section 29.8;</li> <li>▪ The impacts on Gross Value Added (GVA) and employment include indirect/supply chain impacts, as considered in Section 29.8;</li> <li>▪ Impacts on demographics from transient workers and their implications are considered in Section 29.8;</li> <li>▪ Effects on tourism are considered in Section 29.8; and</li> <li>▪ Cumulative effects are considered in Section 29.9.</li> </ul> <p>The assessment concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction. The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms. The assessment has identified no significant impacts on social and community assets.</p> <p>The Applicant has also engaged with local schools in Lincolnshire, including attendance at the Careers Fair at John Spendluffe School, Lincolnshire (30 March 2023) and Future Fest at Peter Paine Performance Centre, Boston (5 July 2024) to promote employment opportunities within the offshore wind industry. Following consent, actions to ensure the skills and employment benefits that the Project can help deliver locally and nationally will be set out within the Supply Chain Plan required under the CfD supply chain process (Chapter 29 Socio-Economic Characteristics (APP-084)).</p>
	EN-1 5.13.5	Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	<p>A description of the existing socio-economic conditions and tourism activity is provided in the Baseline Environment section 29.4 of Chapter 29 (APP-084). The study area for the assessment considers three onshore study areas.</p> <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK</li> </ul> <p>East Lindsey Local Plan Core Strategy is considered as part of the Strategic baseline in Section 29.4.3</p>
	EN-1 5.13.6	Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	<p>Chapter 29 Socio-Economic Characteristics (APP-084) takes into account several other impacts and has been written alongside the following chapters, which are presented in Volume 1 of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 17: Seascape, Landscape and Visual (APP-072);</li> <li>▪ Chapter 18: Infrastructure and Other Marine Users (APP-073);</li> <li>▪ Chapter 25: Land Use (APP-080);</li> <li>▪ Chapter 26: Noise and Vibration (APP-081);</li> <li>▪ Chapter 27: Traffic and Transport (APP-082); and</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Chapter 28: Landscape and Visual Assessment (APP-083).</li> </ul>
	EN-1 5.13.7	Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.	The Planning Inspectorate has concurred in their Scoping Opinion (Planning Inspectorate, 2022) that the Project can scope out demographic and service demand impacts within Chapter 29 Socio-Economic Characteristics (APP-084), including long term housing/accommodation, during the Operations and Maintenance (O&M) phase.
Mitigation	EN-1 5.13.8	The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising socio-economic impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Specific mitigation relating to socio-economic impacts are contained within Section 29.6 of Chapter 29 Socio-Economic Characteristics (APP-084). The chapter confirms that the Project will take a proactive approach to mitigation and enhancement measures to maximise the positive effects of the Project and minimise any negative effects that are identified. Negative socio-economic, tourism and recreational impacts associated with the construction of the Project will be a secondary effect of other identified environmental impacts, such as those identified in the other assessment chapter of the ES (APP-055).</p> <p>The Project will consider the following measures to maximise local economic benefit:</p> <ul style="list-style-type: none"> <li>▪ Proactively engaging with local economic development stakeholders and industry groups to understand the capacity for local companies to be involved in the supply chain for the Project;</li> <li>▪ Proactively supporting Tier 1 contractors to increase their local content;</li> <li>▪ Working with local economic development stakeholders to identify any potential barriers to entry for this market and actively work towards removing these barriers</li> <li>▪ Engaging at an early stage with education and training providers to identify potential skills gaps and opportunities for collaboration;</li> <li>▪ Engaging with other developers in the area to improve opportunities for the local supply chain; and</li> <li>▪ Including reporting requirements on the level of UK content as part of the tendering process for contracts.</li> </ul>
Secretary of State decision making	EN-1 5.13.9 – 5.13.12	<p>The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by The Applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).</p> <p>The Secretary of State should consider any relevant positive provisions The Applicant has made or is proposing to make to mitigate impacts (for example through planning</p>	<p>The assessment of socio-economic, tourism and recreation effects is provided in ES Chapter 29 Socio-Economic Characteristics (APP-084) and concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction.</p> <p>The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms.</p> <p>The assessment has identified no significant impacts on social and community assets.</p>

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		<p>obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.</p> <p>The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.</p>	<p>The draft DCO (APP-303), includes a Requirement for a skills, supply chain and employment plan. Requirement 30 (Skills, supply chain and employment) provides that prior to commencement of any stage of the onshore works, a skills, supply chain and employment plan in relation to that stage must be submitted to and approved by the relevant planning authority in consultation with Lincolnshire County Council. The plan to be submitted must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with that stage of the onshore works and the means for publicising such opportunities. The approved skills, supply chain and employment plan must be implemented as approved.</p>
<b>EN-1 Part 5.14: Traffic and Transport</b>			
Traffic and Transport	EN-1 5.14.1 – 5.14.3	<p>The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects.</p> <p>Environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution as well as greenhouse gas emissions.</p> <p>Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.</p> <p>The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.6 of this NPS.</p>	<p>The transport assessment within Chapter 27 Traffic and Transport (APP-082) considers onshore impacts. The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). This approach was subsequently presented and agreed upon through the ETG process.</p> <p>A quantitative and qualitative assessment of potential traffic and transport effects associated with worst-case construction activities was conducted using methods outlined in Guidelines on the Environmental Assessment of Traffic and Movement<sup>9</sup> (GEATM), Design Manual for Roads and Bridges<sup>10</sup> (DMRB), and professional judgment. The assessment considers several social, environmental and economic impacts as listed below:</p> <ul style="list-style-type: none"> <li>▪ Driver Severance and Delay;</li> <li>▪ Community Severance;</li> <li>▪ Vulnerable Road Users and Road Safety;</li> <li>▪ Pedestrian Amenity;</li> <li>▪ Abnormal Indivisible Loads (AILs); and</li> <li>▪ Users of Public Rights of Way (PRoW).</li> </ul> <p>Section 27.6.4 sets out the embedded and applied mitigation that will be required as part of the Project. The Outline Construction Traffic Management Plan (OCTMP) (APP-289) and Outline Travel Plan (OTP) (APP-290) provide details on how traffic would be managed. Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport.</p>
Applicant Assessment	EN-1 5.14.5 – 5.14.7	<p>If a project is likely to have significant transport implications, The Applicant’s ES (see Section 4.3) should include a transport appraisal. The DfT’s Transport Analysis Guidance (TAG) and Welsh Governments WeBTAG provides guidance on modelling and assessing the impacts of transport schemes.</p> <p>National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. and applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.</p>	<p>Consideration of the construction, and decommissioning phases of the Project are set out in Chapter 27 Traffic and Transport (APP-082).</p> <p>A transport appraisal is submitted as part of Chapter 27 Traffic and Transport (APP-082). The Traffic and Transport chapter and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout.</p> <p>Consultation regarding traffic and transport has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings. Traffic and Transport was covered by the Traffic &amp; Transport, Air Quality, Noise, Health and Socio-economics ETG which included Lincolnshire County Council and National Highways.</li> <li>▪ EIA scoping process (ODOW, 2022);</li> </ul>

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		<p>The Applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The Applicant should also provide details of proposed measures to improve access by active, public, and shared transport to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need for parking associated with the proposal;</li> <li>▪ contribute to decarbonisation of the transport network; and</li> <li>▪ improve user travel options by offering genuine modal choice.</li> </ul> <p>The assessment should also consider any possible disruption to services and infrastructure (such as road, rail, and airports).</p>	<ul style="list-style-type: none"> <li>▪ Bilateral engagement with relevant stakeholders;</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project’s consultation process with reference to technical considerations is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and summarised in Consultation Report (APP-032) with detail provided in Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052). Further information on the Project’s consultation phases can be found in Section 27.3 of ES Chapter 27 which summarises consultation with National Highways, Network Rail and Highways Authorities as appropriate on the assessment and mitigation.</p> <p>The mitigation section of ES Chapter 27 sets out the embedded and applied mitigation that will be required as part of the Project. The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The Outline Construction Traffic Management Plan (APP-289) and the Outline Travel Plan (APP-290) provides a framework for promoting and encouraging a reduction in private car usage during the construction phase of the Project..</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements.</p>
	EN-1 5.14.9 – 5.14.10	<p>If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision.</p> <p>Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.</p>	<p>Chapter 27 Traffic and Transport (APP-082) concludes that the impact on the transport infrastructure is considered to be at acceptable levels in light of the proposed additional mitigation which includes the Construction Travel Management Plan (APP-289) and the Public Access Management Plan (APP-291) and therefore no additional transport infrastructure is needed or proposed.</p>
Mitigation	EN-1 5.14.11- 5.14.12	<p>Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need to travel by consolidating trips,</li> <li>▪ locate development in areas already accessible by active travel and public transport,</li> <li>▪ provide opportunities for shared mobility,</li> <li>▪ re-mode by shifting travel to a sustainable mode that is more beneficial to the network,</li> <li>▪ retime travel outside of the known peak times,</li> <li>▪ reroute to use parts of the network that are less busy.</li> </ul> <p>If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable</p>	<p>The Outline Travel Plan (OTP) (APP-290) OTP will include demand management measures to be adopted.</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements. The strategy for access has selected routes that where possible, seek to reduce the impact of traffic upon local communities. Trenchless techniques will be used underneath the railway and key roads (this will be assessed based on the importance of the road and the impacts on driver delay and the feasibility of using open trenching with single lane closures).</p> <p>The Project has committed to the construction of a temporary haul road along each open trenched section of the onshore ECC, with distinct access points to reduce construction traffic on local roads. Prioritise the use of haul roads where practicable, to minimise construction vehicles on the highway network. In particular, using the haul road to form a by-pass so that HGVs can avoid Skegness.</p>

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		alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.	
	EN-1 5.14.13 – 5.14.14	<p>Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate.</p> <p>The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> <li>▪ control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements</li> <li>▪ make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid ‘overspill’ parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions</li> </ul> <p>ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.</p>	<p>The assessment of the increases in heavy goods vehicles (HGVs) associated with the construction phase of the Project is set out in Section 27.8 of Chapter 27 Traffic and Transport (APP-082). Welfare facilities including offices and canteen and washroom facilities will be provided within the Primary Construction Compounds (PCCs) and Secondary Construction compounds (SCCs).</p> <p>Any impacts of increases in HGVs are further reduced by the types of traffic management measures that would be implemented as set out in the Outline Construction Travel Management Plan (APP-289) and mitigation such as schemes of passing places that are proposed (Annex N of the Volume 3, Appendix 27.1 (APP-229) and therefore considered to be an acceptable impact.</p> <p>The Outline CTMP (APP-289) states that no parking will be permitted on public roads and that the appropriate authorities and emergency services will be consulted regarding HGV movements during the construction of the Project.</p> <p>Routing for HGV movements is being identified, as well as proposed working hours, to minimise the impact of the Project on the surrounding highway network as per Chapter 27 Traffic and Transport (APP-082) and the CTMP (APP-289)</p> <p>The need for any permits from relevant road and bridge authorities in relation to the transportation of AILs will be obtained in advance of construction, following assessment of routes.</p> <p>The draft DCO (document 3.1) includes Requirement 21 (Traffic) that no stage of the onshore works can commence until a construction traffic management plan (in accordance with the outline construction traffic management plan) and a travel plan (in accordance with the outline travel plan) in respect of that stage have been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority. The requirement requires that the plans are implemented on commencement of the relevant stage of the onshore works.</p> <p>In addition there are DCO Requirements controlling construction hours (Requirement 19 (Construction hours)), and more general construction measures within the Code of Construction Practice (Requirement 18 (Code of construction practice)).</p>
	EN-1 5.14.15 – 5.14.17	<p>The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.</p> <p>Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their application.</p> <p>If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation</p>	<p>Section 27.6.3 of Chapter 27 Traffic and Transport (APP-082) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project, such as the Outline TP (APP-290), which will include demand management measures to be adopted to advocate sustainable patterns of travel.</p> <p>The Applicant would endeavour to identify the closest port to the Study Area for the delivery of the abnormal indivisible loads (AILs) required for the Project to minimise the movement of these on the highway network. The delivery of Special Order AILs will be small in number. The delivery route is anticipated to be between Port Sutton Bridge and the OnSS location and Surfleet Marsh.</p>

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		by the Secretary of State of any obligations or requirements needed to secure the mitigation.	An assessment of the anticipated vehicle type that would be used to transport the AIL between Port Sutton Bridge and the OnSS location is provided in Annex A of Volume 3, Appendix 27.1 Transport Assessment (APP-218).
Secretary of State decision making	EN-1 5.14.18 – 5.14.19	<p>A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.</p> <p>Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below.</p>	<p>Chapter 27 Traffic and Transport (APP-082) has considered the potential traffic and transport effects arising from onshore activities associated with the Project. Consideration has been given to potential worst-case effects arising from onshore construction and decommissioning activities based upon available information. Worst-case parameters have been adopted to provide a robust assessment.</p> <p>The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). Based on the number of the Project construction vehicles forecast in the peak hours on the highway network in the study area, a formal assessment of impacts on the division of space and people by transport and traffic delay was scoped out.</p> <p>The implications of temporary lane or road closures associated with open trenching were evaluated in terms of driver severance and delay. The assessment found no significant effects outside of the summer months, except for Marsh Road, where a short-term closure would require careful planning and communication to the public but results in negligible residual effects.</p> <p>The assessment has considered impacts of increased daily construction vehicle movements associated with the Project. The outcome of the assessment revealed no significant effects on community severance, vulnerable road users and road safety, pedestrian amenity and from dust and dirt.</p> <p>The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>Additional commitments to mitigate impacts include the use of trenchless techniques (such as horizontal direction drilling) for the installation of the export cable under a number of roads, including the main ‘A’ roads in the study area, which would not require a temporary road or lane closure. The Project has further identified a number of highway improvements such as new passing places and other widening on the local construction vehicle access routes to facilitate the required construction vehicles.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.</p>
	EN-1 5.14.20	Development consent should not be withheld provided that The Applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be	As summarised in the response to NPS En-1 5.14.18 to 5.14.19 above, following the incorporation of mitigation measures proposed by the Applicant, no significant effects have been identified in relation to

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		imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure.	traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.
	EN-1 5.14.21	The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual Cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.	The assessment for Traffic and Transport assesses the potential impacts from the increase in vehicle movements, particularly during the construction period leading to driver delay and severance. Other impacts which have been assessed include the impacts upon users of public rights of way, vulnerable road users and road safety. The assessment shows there would not be unacceptable impacts on highway safety or severe residual Cumulative impacts on the road network, and proposals are included to promote public or shared transport within the Outline TP (APP-290),  Overall, it is considered that there will be no significant effect upon Transport and Traffic receptors.
<b>EN-1 Part 5.15: Resource and Waste Management</b>			
Resource and Waste Management	EN-1 5.15.1	Government policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible and disposal is required as a last resort, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health.	As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.  The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.
	EN-1 5.15.2	Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): <ul style="list-style-type: none"> <li>▪ prevention;</li> <li>▪ preparing for reuse</li> <li>▪ recycling</li> <li>▪ other recovery, including energy recovery</li> <li>▪ disposal</li> </ul>	All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).
	EN-1 5.15.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005  In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.  The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly
	EN-1 5.15.4	All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
Applicant Assessment	EN-1 5.15.6	Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.	The proposals do not relate to energy from waste for the treatment of municipal waste and so this paragraph does not apply to the Project.

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	EN-1 5.15.7 – 5.15.8	<p>The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level.</p> <p>The Applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.</p>	<p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p>
	EN-1 5.15.9	<p>The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p>	<p>Chapter 23 Geology and Ground Conditions (APP-078) includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. The approach to managing waste is set out within the Outline Code of Construction Practice and the SWMP (APP-274). which sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit for approval.</p> <p>A key element of the detailed SWMP will be to minimise the amount of waste disposal from site by aiming to reduce, reuse waste on site or recycle. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p>
	EN-1 5.15.10 5.15.11	<p>The Applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales' and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</p> <p>If The Applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process</p>	<p>The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project with respect to waste. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>As stated within Chapter 8: Marine Water and Sediment Quality (APP-063), whilst the Project is not a dredging project it does involve a proposal to dredge, drill and dispose of seabed sediments within the draft Order Limits. Regarding disposal, The Applicant has considered the need for disposal sites as part of the updated assessment presented in the ES. Dredged material will be deposited within an area of</p>

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			similar sediment characteristics, in close proximity to the dredge location in order to retain sediment within the sediment transport system.
	EN-1  5.15.12 – 5.15.13	<p>Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources, and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p> <p>Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p>	<p>The Applicant has committed to reusing materials wherever practicable, which includes the re-use of soils that will be secured within a Soil Management Plan (APP-271) that the Applicant has committed to producing.</p> <p>The Outline Site Waste Management Plan (APP-274) confirms that wastes will be categorised and managed appropriately, with all options for reusing or recycling on-site considered prior to pursuing any off-site possibilities for reuse, recycling or ultimately for final disposal. This will be achieved through regular reviews of waste generation with the aim of improving the rate of segregation and recycling to minimise the future requirement for disposal of wastes to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them). Adequate storage arrangements for waste local to the work areas will need to be in place to prevent uncontrolled collections of waste on site occurring during the day and a suitable frequency of transfer of any gathered wastes to the main waste management area shall be maintained by contractors to prevent windblown rubbish etc.</p>
Secretary of State decision making	EN-1 5.15.14	<p>The Secretary of State should consider the extent to which The Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development.</p> <p>The Secretary of State should be satisfied that:</p> <ul style="list-style-type: none"> <li>▪ any such waste will be properly managed, both on-site and off-site.</li> <li>▪ the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area.</li> </ul> <p>adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome</p>	<p>As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).</p> <p>Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005</p> <p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage</p>

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			<p>requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p> <p>In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.</p>
	EN-1 5.15.16 – 5.15.17	Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The draft DCO (APP-303), includes Requirement 18 (Code of construction practice) which provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. This includes a site waste management plan (which accords with the outline site waste management plan). The code of construction practice must be implemented as approved.
	EN-1 5.15.18	Where the Project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
	EN-1 5.15.19	The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023.	The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project which includes consideration of waste reduction targets and resource efficiency.
<b>EN-1 Part 5.16: Water Quality and Resources</b>			
Water Quality and Resources	EN-1 5.16.1 – 5.16.2	<p>Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters.</p> <p>During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.</p>	<p>Potential impacts upon water quality and resources are considered in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) contains the assessment of the potential impacts of the Project on marine physical processes.</p> <p>The conclusions drawn from the three assessments are that there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>The Project has committed a range of mitigation measures to reduce impacts. Offshore measures include, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out.</p>
Applicant Assessment	EN-1 5.16.3	Where the Project is likely to have effects on the water environment, the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	Onshore measures include obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, and adherence to a Pollution Prevention and Emergency Incident Response Plan.

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			An onshore and offshore WFD assessment has been produced in Volume 3, Appendix 8.1: Water Framework Directive (APP-153) that will mitigate any adverse effects on the water environment and present any enhancement measures.
	EN-1 5.16.4	The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.	Consultation regarding water quality and resources has been included within the Marine Ecology, Processes and Derogation and Compensation and Onshore Ecology, Hydrology and Ground Conditions ETGs. Consultation has been undertaken and as part of the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032). European Protected Species Licensing (EPSL) is anticipated to be required for water vole, badger and GCN. The Applicant is in the process of pursuing Letters of No Impediment (LoNI) with Natural England which will subsequently be submitted to the ExA.
	EN-1 5.16.5	Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g., from car parks or other areas of hard standing, during operation.	The management of surface water relates to the onshore environment and is considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079), this is supported by a Groundwater Risk Assessment (GWRA) (APP-210).
	EN-1 5.16.6	Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones - this could include, for example, the use of protective barriers.	The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (: APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.  Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.  By incorporating these commitments no significant effects have been identified in relation to surface water quality
	EN-1 5.16.7	The ES should in particular describe: <ul style="list-style-type: none"> <li>▪ the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;</li> <li>▪ existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance;</li> <li>▪ existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics;</li> </ul>	A description of the Baseline (existing) water quality conditions is provided in Chapter 8 Marine Water and Sediment Quality (APP-063).  Descriptions of the baseline environment are provided in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) provides a baseline description with regard to marine physical processes.  In addition, the Chapters provide: <ul style="list-style-type: none"> <li>▪ the potential environmental effects on water quality arising from the Project, based on the information gathered and the analysis and assessments undertaken to date and assess whether they are significant (in EIA terms);</li> <li>▪ any assumptions and limitations encountered in compiling the environmental information;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions;</li> <li>▪ how climate change could impact any of the above in the future; any cumulative effects</li> </ul>	<ul style="list-style-type: none"> <li>▪ any necessary monitoring and/or mitigation measures which could prevent, minimise, reduce, or offset the possible environmental effects identified at the relevant stage in the EIA process; and</li> <li>▪ Cumulative effects.</li> </ul> <p>The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).</p> <p>There will be no proposed changes or new discharges as a result of the Project. A full WFD assessment supports the DCO application, detailing the impacts on coastal and transitional waterbodies and protected areas under WFD. Potential changes to the physical environment, including hydrodynamics, waves and sediment pathways, are presented in an assessment of the physical characteristics is presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>The Baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) has been provided within: Chapter 24 Hydrology and Flood Risk (APP-079).</p>
Mitigation	EN-1 5.16.8	The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the Project application. A construction management plan may help codify mitigation at that stage.	<p>An Outline CoCP (APP-268) will be submitted as part of the DCO application. The Outline CoCP will include measures to control the potential impacts to water quality within environmental management plans that will be included within the suite of CoCP documents.</p> <p>The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.</p> <p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>With regard to water quality within the marine environment, the Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out</p>
	EN-1 5.16.9	The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	<p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>An outline Project Environment Management Plan (APP-277) is also being submitted with the DCO Application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice for offshore works.</p>

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			Therefore, deterioration to the current status of the water bodies is not anticipated and as such the Project can be considered to be in accordance with paragraph 5.16.9 of EN-1
	EN-1 5.16.10	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. If a development needs new water infrastructure, significant supplies or impacts other water supplies, the Applicant should consult with the local water company and the EA or NRW.	The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).
Secretary of State decision making	EN-1 5.16.11	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.	<p>Chapter 8 Marine Water and Sediment Quality (APP-063) confirms there are no offshore outfalls or discharges associated with the Project. However, an outline Project Environment Management Plan (APP-277) will be submitted with the DCO application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice.</p> <p>Temporary management of surface water will be required along the onshore ECC and at the OnSS during construction. An Outline Surface Water Drainage Strategy (: APP-273) has been provided as part of the Outline CoCP (APP-268). A final surface water drainage scheme will be informed by detailed design and provided as part of the final CoCP for approval by local authorities prior to construction which forms a requirement of the DCO.</p> <p>Surface water flowing into work areas and excavated trenches during the construction period will be pumped via settling tanks or ponds to remove sediment and potential contaminants, before being discharged into local ditches or drains via temporary interceptor drains. Where gradients on site are significant, cable trenches will include a hydraulic brake (bentonite or natural clay seals) to reduce flow rates along trenches and hence reduce local erosion.</p> <p>No discharge to Main River watercourses will occur without permission from Environment Agency (SuDS Manual) and no discharge to IDB maintained watercourses will occur without permission from the relevant IDB.</p>
	EN-1 5.16.12	The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	<p>The assessment of sensitivity for environmental receptors takes into consideration RBMPs and WFD status (Table 24.17) of Chapter 24 Hydrology and Flood Risk (APP-079). The chapter concludes there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>A WFD compliance assessment within Appendix 8.1: Water Framework Directive (APP-153) has also been provided to support the DCO application which provides a comprehensive assessment of the implications for WFD waterbodies.</p>
	EN-1 – 5.16.13	The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government’s Environmental Improvement Plan 2023.	<p>The Project meets the Government’s Environmental Improvement Plan by:</p> <ul style="list-style-type: none"> <li>▪ contributing significantly towards the UK’s current cumulative electricity supply deployment target for 2030, enough for approximately 500,000 households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions.</li> <li>▪ maximising resources and minimises waste.</li> <li>▪ Not causing harm to habitats identified as being of importance for the conservation of biodiversity and enhancing where possible.</li> <li>▪ Protecting water quality.</li> </ul>
	EN-1 5.16.14 - 15.16.15	The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good	WFD classifications and objectives are taken into account within Chapter 24 Hydrology and Flood Risk (APP-079). The WFD water bodies are considered receptors and are assessed against: Existing environment and Environmental assessment during construction, O&M, and decommissioning phase. A WFD Assessment is provided within Appendix 8.1: WFD (APP-153) and presents the findings of the WFD compliance assessment for the potential impacts of the Project. The purpose of this WFD compliance assessment is to demonstrate that the proposed activities associated with the Project do not result in a

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		<p>status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.</p> <p>The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans.</p>	<p>deterioration in a designated water body (or protected area) and do not jeopardise the attainment of good status (or the potential to achieve good ecological and chemical status). The assessment concludes there will be no adverse effects on the integrity of designated sites, No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>
	EN-1 5.16.16	<p>The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the Applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary</p>	<p>A standalone WFD Compliance Assessment is presented within Appendix 8.1: WFD (APP-153). Mitigation measures are presented in Section 8.5.4, and include a Project Environmental Management Plan (PEMP), Cable Specification and Installation Plan (CSIP), measures to control Invasive Non Native Species as offshore mitigation. Onshore mitigation include the CoCP, pre-construction approvals, PPEIRP, and surface water management plans The draft DCO sets out proposed requirements to secure the management plans.</p> <p>No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>

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<b>EN-1 Part 3: The need for new nationally significant energy infrastructure projects</b>			
<b>EN-1 Part 3.1: Introduction</b>			
Introduction	EN-1 3.1.1 – 3.1.2	<p>This Part of the NPS explains why the government sees a need for significant amounts of new large-scale energy infrastructure to meet its energy objectives and why the government considers the need for such infrastructure to be urgent.</p> <p>However as acknowledged within the NPS it will not be possible to develop the necessary amounts of such infrastructure without some significant residual adverse impacts. These effects will be minimised by the application of policy set out in Parts 4 and 5 of this NPS. See also Part 2 of each technology specific NPS.</p>	<p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise the power sector by 2030.</p> <p>The Project would include up to 100 wind turbine generators (WTGs), which will be located approximately 54km off the coast of Lincolnshire, England, and create enough energy each year to power hundreds of thousands of homes. The Project will create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The accompanying ES, outlined in the Non Technical summary(APP-055), describes any likely significant effects and how the Applicant intends to avoid, prevent and reduce these where possible. However, as noted in Section 3.1.2 of EN-1 , it is not possible to develop the necessary amounts of infrastructure without some significant residual adverse impacts.</p>
<b>EN-1 Part 3.2: Secretary of State decision making</b>			
	EN-1 3.2.1	The government’s objectives for the energy system are to ensure our supply of energy always remains secure, reliable, affordable, and consistent with net zero emissions in 2050 for a wide range of future scenarios, including through delivery of our carbon budgets and Nationally Determined Contributions.	<p>Section 5 of the Planning Statement (APP-297) outlines the established need for the Project with reference to paragraphs that support such development within EN-1. The Project would deliver up to 1.5 gigawatts (GW) of offshore wind which would support the government objective of increasing supply of renewable energy.</p> <p>Paragraph 3.3.21 of EN-1 states the UK Government has an ambition to deliver up to 50 GW of offshore wind by 2030 and in this policy context, the Project would make a substantial contribution towards meeting national renewable (wind) energy targets and should be ascribed substantial weight in the balance of considerations and the presumption in favour of such developments.</p> <p>As such, the Project accords with national energy targets and is supportive of the Government’s objectives for the energy system. The Project represents an excellent opportunity to deliver both clean energy and to meet government targets.</p>
	EN-1 3.2.2	We need a range of different types of energy infrastructure to deliver these objectives. This includes the infrastructure described within this NPS but also more nascent technologies, data, and innovative infrastructure projects consistent with these objectives.	The Project will support the Government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. This is because the Project is an offshore wind farm which will support the delivery of national renewable energy. The type of energy this Project will provide (wind) is expected to play a key role in supplying renewable energy by 2050.
	EN-1 3.2.3	It is not the role of the planning system to deliver specific amounts or limit any form of infrastructure covered by this NPS. It is for industry to propose new energy infrastructure projects that they assess to be viable within the strategic framework set by government. This is the nature of a market-based energy system. With the exception of new coal or large-scale oil-fired electricity generation, the government does not consider it appropriate for planning policy to set limits on different technologies but planning policy can be used to support the Government’s ambitions in energy policy and other policy areas.	<p>Section 5 of the Planning Statement (APP-297) outlines how the Project is in line with the Government’s ambitions for the energy system.</p> <p>Paragraphs 3.3.20- 3.3.24 of NPS EN-1 show there will be a major reliance on wind (and solar) to deliver renewable energy targets to meet national demand, and the Project will play a significant role in contributing towards meeting these targets. The NPS make it clear that there is an established need for the Project and substantial emphasis should be placed on this need by the SoS.</p>
	EN-1 3.2.6	The Secretary of State should assess all applications for development consent for the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of infrastructure, which is urgent, as described for each of them in this Part.	The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 includes offshore generation that does not involve fossil fuel combustion within the definition of low carbon infrastructure.

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	EN-1 3.2.7	In addition, the Secretary of State has determined that substantial weight should be given to this need when considering applications for development consent under the Planning Act 2008.	The need for the Project is further set out in Section 5 of the Planning Statement (APP-297).  As such, the Project is considered to accord with the provisions set out in the NPS.
	EN-1 3.2.9	This NPS, along with any technology specific energy NPSs, sets out policy for nationally significant energy infrastructure covered by sections 15-21 of the Planning Act 2008.	The Project is covered by section 15 of the Planning Act 2008 (2008 Act). This document together with the Planning Statement confirms how the policies within this NPS and the relevant technology specific NPSs have been complied with in respect of the Project.
	EN-1 3.2.10	Other novel technologies or processes may emerge during the life of this NPS and can help deliver our energy objectives. Where these contribute towards the objectives set out in paragraph 3.2.1, the Secretary of State should determine that there is a need for such technologies and that substantial weight should be given to this need.	
<b>EN-1 Part 3.3: The need for new nationally significant energy infrastructure projects— Meeting energy security and carbon reduction objectives</b>			
The need for new nationally significant electricity infrastructure	EN-1 3.3.1	Electricity meets a significant proportion of our overall energy needs and our reliance on it will increase as we transition our energy system to deliver our net zero target. We need to ensure that there is sufficient electricity to always meet demand; with a margin to accommodate unexpectedly high demand and to mitigate risks such as unexpected plant closures and extreme weather events.	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), the Project will deliver up to 100 WTGs with a capacity of approximately 1.5 GW and make a substantial contribution to meeting the demand for greater energy produced from renewable sources, whilst mitigating unexpected risks to the UK's energy system. The wider effects of the Project upon climate change are discussed within ES Chapter 31: Climate Change (APP-086).
	EN-1 3.3.2	The larger the margin, the more resilient the system will be in dealing with unexpected events, and consequently the lower the risk of a supply interruption. This helps to protect businesses and consumers, including vulnerable households, from volatile prices and, eventually, from physical interruptions to supply that might impact on essential services. But a balance must be struck between a margin which ensures a reliable supply of electricity and building unnecessary additional capacity which increases the overall costs of the system.	The Project will support the government's objective to achieve 50GW of offshore wind by 2030. This figure was revised upward from 40GW to 50GW in the April 2022 UK Government Energy Security Strategy (BESS) which is a key aspect of the UK Government's commitment to support essential services, and the business sector, in the wake of the global pandemic.  The Project will make a substantial contribution in meeting this demand for offshore wind energy. Through the delivery of up to 100 WTGS, the project will have a capacity of approximately 1.5GW as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057).  The Planning Statement (APP-297) outlines that there is an established urgent need for developments like the Project which are considered a CNP.
	EN-1 3.3.3	To ensure that there is sufficient electricity to meet demand, new electricity infrastructure will have to be built to replace output from retiring plants and to ensure we can meet increased demand. Our analysis suggests that even with major improvements in overall energy efficiency, and increased flexibility in the energy system, demand for electricity is likely to increase significantly over the coming years and could more than double by 2050 as large parts of transport, heating and industry decarbonise by switching from fossil fuels to low carbon electricity. The Impact Assessment for CB6 shows an illustrative range of 465-515TWh in 2035 and 610- 800TWh in 2050.	As noted in the responses to the paragraph 3.2.1 and 3.2.2 of the NPS above, the Project is in accordance with the NPS and a substantial emphasis should be placed on this need by the Secretary of State (SoS). As stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project will deliver up to 100 WTGS and have a capacity of approximately 1.5GW which will make a substantial contribution in meeting the government's ambition of increasing supply from renewable sources to meet increasing demands on the UK's electricity system.
The need for different types of electricity infrastructure	EN-1 3.3.4— 3.3.7	There are several different types of electricity infrastructure that are needed to deliver our energy objectives. Additional generating plants, electricity storage, interconnectors and electricity networks all have a role, but none of them will enable us to meet these objectives in isolation.  New generating plants can deliver a low carbon and reliable system, but we need the increased flexibility provided by new storage and interconnectors (as well as demand side response, discussed below) to reduce costs in support of an affordable supply.	The Project will support the government in meeting its ambition of providing a range of secure, reliable and affordable renewable energy infrastructure to achieve net zero emissions by 2050. As outlined within both the Planning Statement (APP-297) and ES Chapter 2: Need, Policy and Legislative Context (APP-057), the government is seeking to meet the future increasing demand through several types of renewable sources, and the Government regards offshore wind farms, like the Project as a key mechanism to achieving this target.  Therefore, there is an established need for the Project which will provide up to 100 WTG, with a capacity of approximately 1.5GW and make a makes a substantial contribution to the UK's renewable energy and energy security targets.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Storage and interconnection can provide flexibility, meaning that less of the output of plant is wasted as it can either be stored or exported when there is excess production. They can also supply electricity when domestic demand is higher than generation, supporting security of supply. This means that the total amount of generating plant capacity required to meet peak demand is reduced, bringing significant system savings alongside demand side response (up to £12bn per year by 2050). Storage can also reduce the need for new network infrastructure. However, neither of these technologies, as with demand side response, are sufficient to meet the anticipated increase in total demand, and so cannot fully replace the need for new generating capacity.</p> <p>Electricity networks are needed to connect the output of other types of electricity infrastructure with consumers and each other. However, they are a means of transporting electricity rather than generating or storing it, so cannot replace those other types of electricity infrastructure in meeting the substantial increase in demand expected over the coming decades.</p>	
Alternatives to new electricity infrastructure.	EN-1 3.3.8 – 3.3.12	<p>The government has considered alternatives to the need for new large-scale electricity infrastructure and concluded that these would be limited to reducing total demand for electricity through efficiency measures or through greater use of low carbon hydrogen in decarbonising the economy; reducing maximum demand through demand side response; and increasing the contribution of decentralised and smaller-scale electricity infrastructure. In addition, there are alternative ways of decarbonising heating and transportation, which are being developed alongside electrification of these sectors.</p> <p>Reducing total demand for energy is a key element of the government’s strategy for meeting its energy objectives and we expect that increased energy efficiency measures could lead to a reduction in final energy demand from around 1550 TWh in 2019 to around 1000 TWh in 2050. However, even with a reduction in final energy demand the share of electricity in the system is likely to increase, potentially more than doubling by 2050 (see paragraph 3.3.3).</p> <p>The precise level of electricity demand during the transition to net zero is uncertain and could be affected by alternative means of decarbonising these sectors, such as the use of low carbon hydrogen, and the pace of that decarbonisation. However, it is prudent to plan on a conservative basis to ensure that there is sufficient supply of electricity to meet demand across a wide range of future scenarios, including where the use of hydrogen is limited.</p> <p>Demand side response, such as the use of thermal stores and smart charging of electric vehicles, can shift electricity demand, reducing the maximum amount of electricity required and therefore reduce the need for additional infrastructure. However, it cannot increase the total amount of electricity generated in the UK, or reduce the total amount of electricity consumed, and so cannot fully replace the need for new generating capacity to deliver our energy objectives.</p> <p>Decentralised and community energy systems such as micro-generation contribute to our targets on reducing carbon emissions and increasing energy security. These technologies could also lead to some reduction in demand on the main generation and transmission system. However, the government does not believe they will replace the need for new large-scale electricity infrastructure to meet our energy objectives. This is because connection of large-scale, centralised electricity generating facilities via a high voltage transmission system enables the pooling of both generation and demand, which in turn offers a number of economic and other benefits, such as more efficient bulk transfer of</p>	<p>While it is clear that reducing demand for energy is a key Government strategy, it is noted that even by reducing this demand, the share of electricity in the system is likely to increase (potentially more than double). The Project will contribute to ensuring that there is a sufficient supply of electricity to meet demand.</p> <p>The Project would contribute to the delivery of the 30 GW of renewable energy envisaged in NPS EN-1 and the ambition to deliver 40 GW of offshore wind by 2030 as set out in the UK Government’s 2021 announcement, a figure which as noted within the Planning Statement (APP-297) was revised upward to 50 GW by 2030 in the April 2022 UK Government Energy Security Statement.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		power and enabling surplus generation capacity in one area to be used to cover shortfalls elsewhere.	
Delivering affordable decarbonisation	EN-1 3.3.16	If demand for electricity doubles by 2050, we will need a fourfold increase in low carbon generation and significant expansion of the networks that transport power to where it is needed. In addition, we committed in the Net Zero Strategy to take action so that by 2035, all our electricity will come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in electricity demand. This means that the majority of new generating capacity needs to be low carbon.	As per the responses to the NPS provisions at paragraph 3.2.1 and 3.2.2, The Project will have a capacity of approximately 1.5GW and make a substantial contribution to the delivery of renewable energy and consequently will strengthen the national energy system. Moreover, as discussed within ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) the Government cites offshore wind farms, like the Project, as key mechanisms to facilitating a transition to net zero.
	EN-1 3.3.19	Given the changing nature of the energy landscape, we need a diverse mix of electricity infrastructure to come forward, so that we can deliver a secure, reliable, affordable, and net zero consistent system during the transition to 2050 for a wide range of demand, decarbonisation, and technology scenarios.	As stated in the response to the NPS provisions made at paragraph 3.3.2, wind energy will play a central role in the transition towards renewable energy supply nationally, supporting net zero ambitions. .
The role of wind and solar	EN-1 3.3.20 – 3.3.21	Wind and solar are the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply (as they are not reliant on fuel for generation). Our analysis shows that a secure, reliable, affordable, net zero consistent system in 2050 is likely to be composed predominantly of wind and solar. As part of delivering this, UK government announced in the British Energy Security Strategy an ambition to deliver up to 50GW of offshore wind by 2030, including up to 5GW of floating wind, and the requirement in the Energy White Paper for sustained growth in the capacity of onshore wind and solar in the next decade.	The Project will have an overall capacity of approximately 1.5GW and will contribute towards meeting the government's target to deliver 50GW of offshore wind by 2030 and meet the objectives of the British Energy Security Strategy. As the Project will have a capacity in excess of 100MW it is defined as a Nationally Significant Infrastructure Project (NSIP) and the Applicant has submitted an application to the SoS for a Development Consent Order (DCO).
	EN-1 3.3.22 and 3.3.24	However it is recognised that ensuring affordable system reliability, today and in the future, means wind and solar need to be complemented with technologies which supply electricity, or reduce demand, when the wind is not blowing, or the sun does not shine.  Applications for offshore wind above 100MW or solar above 50MW in England, or 350MW for either in Wales, will continue to be defined as NSIPs, requiring consent from the Secretary of State (see EN-3).	
The need for electricity generating capacity	EN-1 3.3.58	Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	The project is a new, large scale renewable energy NSIP project that falls within the scope of NPS EN-1. The Project would help to meet the urgent need for the type and scale of energy infrastructure outlined in NPS EN-1
	3.3.59	All the generating technologies mentioned above are urgently needed to meet the government's energy objectives by: <ul style="list-style-type: none"> <li>▪ providing security of supply (by reducing reliance on imported oil and gas, avoiding concentration risk, and not relying on one fuel or generation type)</li> <li>▪ providing an affordable, reliable system (through the deployment of technologies with complementary characteristics)</li> </ul> ensuring the system is net zero consistent (by remaining in line with our carbon budgets and maintaining the options required to deliver for a wide range of demand, decarbonisation, and technology scenarios, including where there are difficulties with delivering any technology)	As outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057), offshore wind developments like the Project are critical in providing a secure, reliable, affordable, net zero consistent system by 2050.  The Project would contribute to the delivery of the 50 GW of offshore wind renewable energy envisaged in the NPS EN1 as set out in the UK Government's 2022 Energy Security Statement announcement; a figure which is noted within the Planning Statement (APP-297). The Project will make a substantial contribution in achieving the government's energy objectives through the delivery of up to 100 WTGs and a capacity of approximately 1.5GW.  Furthermore, through the delivery of the above infrastructure and generating capacity, the Project will contribute to increasing national energy security. ES Chapter 31: Climate Change (APP-086) confirms that the Project will assist the UK in reducing greenhouse gas (GHG) emissions and the trajectory to net zero by 2050.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1  3.3.60 – 3.3.62	<p>Known generation technologies that are included within the scope of this NPS (and would be classed as an NSIP if above the relevant capacity thresholds set out under the Planning Act 2008) include:</p> <ul style="list-style-type: none"> <li>▪ Offshore Wind (including floating wind)</li> <li>▪ Solar PV</li> <li>▪ Wave</li> <li>▪ Tidal Range</li> <li>▪ Tidal Stream</li> <li>▪ Pumped Hydro</li> <li>▪ Energy from Waste (including ACTs) with or without CCS</li> <li>▪ Biomass with or without CCS</li> <li>▪ Natural Gas with or without CCS</li> <li>▪ Low carbon hydrogen</li> <li>▪ Large-scale nuclear, Small Modular Reactors, Advanced Modular Reactors, and fusion power plants</li> <li>▪ Geothermal</li> </ul> <p>The need for all these types of infrastructure is established by this NPS and a combination of many or all of them is urgently required for both energy security and Net Zero, as set out above.</p> <p>Government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. Section 4.2 states which energy generating technologies are low carbon and are therefore CNP infrastructure.</p>	<p>The Project is an offshore wind project and therefore falls under a generation technology defined within Paragraph 3.3.60 of EN-1. The Project meets the thresholds set out in the 2008 Act and is classified as an NSIP and as set out in paragraph 4.2.5 the Project is classified as low carbon infrastructure, therefore the Project is CNP infrastructure.</p>
	EN-1  3.3.63	<p>Subject to any legal requirements, the urgent need for CNP Infrastructure to achieve our energy objectives, together with the national security, economic, commercial, and net zero benefits, will in general outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy. Government strongly supports the delivery of CNP Infrastructure and it should be progressed as quickly as possible.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>▪ Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of 'Gas' and 'all non-renewables' derived electricity, were the Project not to be developed.</li> <li>▪ Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>▪ Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>▪ Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>In terms of adverse impacts, these are discussed across the ES (APP-055). The ES has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the Project.</p> <p>Through the Habitats Regulation Assessments (HRA) process designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>Overall, the RIAA (APP-235) concludes that the Project would not undermine any of the conservation objectives for the designated sites and features. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the RIAA. As set out in the derogation case and the RIAA, the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p> <p>As demonstrated throughout the ES (APP-055), the RIAA (APP-235) and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS.</p>
The need for new electricity networks	EN-1 3.3.82 – 3.3.83	The Government has committed to reduce GHG emissions by 78 per cent by 2035 under carbon budget 6. According to the Net Zero Strategy this means that by 2035, all our electricity will need to come from low carbon sources, subject to security of supply, whilst meeting a 40-60 per cent increase in demand. Given the urgent need for new electricity infrastructure and the time it takes for electricity NSIPs to move from design conception to operation, there is an urgent need for new (and particularly low carbon) electricity NSIPs to be brought forward as soon as possible, given the crucial role of electricity as the UK decarbonises its economy.	It is clear from the UK Energy White Paper that electricity demand is expected to grow substantially (scenarios vary but potentially by a factor of three or four) as carbon intensive sources of energy are displaced by electrification of other industry sectors, particularly heat and transport. This is reflected in the British Energy Security Strategy published in April 2022 where targets for offshore wind farm were extended to 50GW by 2023. As noted within Section 5 of the Planning Statement (APP-297), the Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly decarbonise and security of supply throughout its operational life, thereby addressing important aspects of the UK’s legal obligations and Government policy.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
<b>EN-1 Part 4: Assessment Principles</b>			
EN-1 Part 4.1: Assessment Principles			
General Policies and Considerations	EN-1 4.1.2 – 4.1.4	<p>The Energy White Paper and British Energy Security Strategy emphasises the importance of the government’s net zero commitment and efforts to fight climate change, as well as the need to maintain a secure and reliable energy system. The Levelling Up White Paper calls on the Government to ensure investment in the transition to Net Zero benefits less well-performing parts of the UK, reducing emissions, facilitating economic development and the creation of jobs.</p> <p>Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the Secretary of State will start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.</p> <p>The presumption is also subject to the provisions of the Planning Act 2008 referred to in paragraph 1.1.4 of this NPS.</p>	<p>The Project meets the requirements of the relevant NPSs therefore the presumption in favour of granting consent to energy NSIPs should apply given the urgent need for this type of infrastructure. This is because the Project will deliver up to 100 WTGS and will have a capacity of approximately 1.5GW, as stated within ES Chapter 2: Need, Policy and Legislative Context (APP-057). Moreover, as outlined within the Planning Statement (APP-297), the government cites offshore wind farms, like the Project as critical mechanisms in supporting the nation in transitioning to net zero.</p> <p>The Planning Statement (APP-297) together with this document demonstrates that the Project accords with the relevant policies of the NPS and there are no specific policies that clearly indicate consent should be refused.</p>
Weighing impacts and benefits	EN-1 4.1.5	<p>In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account:</p> <ul style="list-style-type: none"> <li>▪ its potential benefits including its contribution to meeting the need for energy infrastructure, job creation, reduction of geographical disparities, environmental enhancements, and any long-term or wider benefits;</li> <li>▪ its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate, or compensate for any adverse impacts, following the mitigation hierarchy.</li> </ul>	<p>The Planning Statement (APP-297) sets out the planning balance for the Project drawing together the benefits of the scheme (as summarised above) and the assessment of potential adverse effects. The Planning Statement concludes that the Project would bring significant benefits and it is not considered that there are any adverse effects which outweigh the benefits of the Project, and as such would be in accordance with the NPS and should therefore be consented.</p> <p>The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055). The ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration.</p>
	EN-1 4.1.6	<p>In this context, the SoS should take into account environmental, social, and economic benefits and adverse impacts, at national, regional, and local levels. These may be identified in this NPS, the relevant technology specific NPS, in the application or elsewhere (including in local impact reports, marine plans, and other material considerations as outlined in Section 1.1).</p>	<p>Sections 6 and 7 of The Planning Statement (APP-297) set out the planning balance for the Project drawing together the benefits of the scheme and the assessment of potential adverse impacts. It concludes that the Project would bring significant benefits, would be in accordance with the NPS, Marine Plans and Local Policy and should therefore be consented.</p> <p>When taking into account the evidence presented in the Planning Statement (APP-297) and this Policy Compliance Document, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with both national and local planning policy.</p>
	EN-1 4.1.7	<p>Where this NPS or the relevant technology specific NPSs require an applicant to mitigate a particular impact as far as possible, but the Secretary of State considers that there would still be residual adverse effects after the implementation of such mitigation measures, the Secretary of State should weight those residual effects against the benefits of the proposed development. For projects which qualify as CNP Infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero.</p>	<p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure. Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary, to ensure there are no significant and cumulative effects as a result of the application.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.	The response to NPS paragraph 3.3.63 above summarises the key benefits of the Project, how adverse impacts have been considered within the ES (APP-055) which sets out how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the RIAA (APP-235), it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken in to consideration. It has been demonstrated that the Project is in accordance with the NPS
Land Rights	EN-1  4.1.8 – 4.1.9	Where the use of land at a specific location is required to facilitate the development by providing for mitigation, and landscape enhancement, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land.  The SoS will consider any such application under the usual compulsory acquisition principles, taking into account the content of the NPSs.	<p>The Applicant has sought to enter into voluntary agreements for all of the land and rights required to facilitate the Project. The status of negotiations is shown in Appendix 4 of the Statement of Reasons (APP-031).</p> <p>Compulsory acquisition powers are being sought to facilitate the development. Further details of the Project's need for, and approach to, compulsory acquisition are set out in the Statement of Reasons (APP-031).</p> <p>The Statement of Reasons (APP-031) has been prepared in accordance with the provisions of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ('the 2009 Regulations').</p> <p>This Statement is required to support the Application because the draft DCO (APP-303), if made would authorise the compulsory acquisition of interests or rights in land. The DCO would also confer on the Applicant the additional powers below:</p> <ul style="list-style-type: none"> <li>▪ extinguishment of private rights over land;</li> <li>▪ acquisition of subsoil only;</li> <li>▪ rights under or over streets;</li> <li>▪ imposition of restrictive covenants;</li> <li>▪ temporary use of land for carrying out the authorised development; and</li> <li>▪ temporary use of land for maintaining the authorised development.</li> </ul> <p>The Statement of Reasons (APP-031) forms part of the suite of documents submitted with the application for a DCO. The Statement should be read in conjunction with the other DCO application documents that relate to the compulsory acquisition powers sought by the Applicant, including:</p> <ul style="list-style-type: none"> <li>▪ Draft Development Consent Order (APP-303);</li> <li>▪ Explanatory Memorandum (APP-304);</li> <li>▪ Land Plans (including Onshore Crown and Special Category Land Plans) (APP-009, APP-010, APP-011);</li> <li>▪ Works Plans (onshore) (APP-005);</li> <li>▪ Funding Statement (APP-026)</li> <li>▪ Book of Reference (APP-025));</li> </ul> <p>The Applicant's rationale and justification for seeking powers of compulsory acquisition are set out within the Statement of Reasons. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the DCO to secure the land and interests which are required for the Project. The public benefit of allowing the Project to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Landscaping is required to screen the OnSS due to the flat reclaimed nature of the landscape. The purpose of this planting is to mitigate effects on landscape character and visual amenity. This has the added benefit of providing enhanced biodiversity as set out in the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).
Other documents	EN-1 4.1.10 – 4.1.12	<p>The policy set out in this NPS and the technology specific energy NPSs is intended to provide greater clarity around existing policy and practice of the Secretary of State in considering applications for nationally significant energy infrastructure, (or therefore the “benchmark” for what is, or is not, an acceptable nationally significant energy development).</p> <p>The energy NPSs have taken account of the NPPF, the Planning Practice Guidance (PPG) for England, and Planning Policy Wales and Technical Advice Notes (TANs) for Wales, where appropriate.</p> <p>Other matters that the SoS may consider both important and relevant to their decision-making may include Development Plan documents or other documents in the Local Development Framework.</p>	<p>The Project has considered the NPS within the Planning Statement (APP-297) and this Policy Compliance Document. The Project is supported by the NPSs.</p> <p>Specific national, regional and local legalisation, policy and guidance are assessed in each topic chapter across the ES (APP-055). This document provides an overview of how the project responds to relevant legalisation at the national, regional and local levels, with the following documents assessed in aforementioned tables:</p> <ul style="list-style-type: none"> <li>▪ Marine Policy Statement (MPS) (2011)</li> <li>▪ National Planning Policy Framework (NPPF) (2023)</li> <li>▪ National Planning Practice Guidance</li> <li>▪ East Lindsey Local Plan Core Strategy 2016-2031 (Adopted July 2018)</li> <li>▪ South East Lincolnshire Local Plan 2011-2036 (Adopted March 2019)</li> </ul> <p>Further information regarding relevant legalisation at the national, regional and local levels is considered within Section 4.5 of the Planning Statement (APP-297).</p>
Development consent	EN-1 4.1.16 – 4.1.17	<p>The SoS should only impose requirements in relation to a development consent that are necessary, relevant to planning, relevant to the development to be consented, enforceable, precise, and reasonable in all other respects.</p> <p>The SoS should consider the guidance in the NPPF, the PPG: Use of Planning Conditions, and TANs, or any successor documents, where appropriate.</p>	<p>The draft DCO (APP-303) sets out the requirements that are considered as necessary, relevant to planning and all technical disciplines, such that the Project will comply with all requirements during all phases of the Project.</p> <p>The Applicant also volunteered for the Project to be part of the NSIP Reform Early Adopters Programme (EAP) which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions.</p>
	EN-1 4.1.18	<p>The SoS may consider any development consent obligations that an applicant agrees with local authorities. These must be relevant to planning, necessary to make the proposed development acceptable in planning terms, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development, and reasonable in all other respects.</p>	<p>The Applicant recognises that there may be a need for certain planning obligations, as set out in the NPS. The Applicant will submit any such proposed planning obligation to the ExA and/or SoS for consideration before the close of the examination.</p>
Early engagement	EN-1 4.1.19 – 4.1.20	<p>Early engagement both before and at the formal pre-application stage between the Applicant and key stakeholders, including public regulators, Statutory Consultees (including Statutory Nature Conservation Bodies (SNCBs)), and those likely to have an interest in a proposed energy infrastructure application, is strongly encouraged in line with the Government’s pre-application guidance. This means that only applications which are fully prepared and comprehensive can be accepted for examination, enabling them to be properly assessed by the ExA and leading to a clear recommendation report to the SoS.</p> <p>This is particularly so in the case of Habitats Regulations Assessment (HRA) matters covered in paragraphs 5.4.25 to 5.4.31 below, which explain the onus is on the Applicant</p>	<p>Stakeholder consultation and engagement have played a fundamental role in shaping the Project. A comprehensive account of all consultation undertaken to assist in the development of the Project is included within the Consultation Report (APP-032). Consultation is also detailed within Chapter 6 Technical Consultation (APP-061).</p> <p>The Applicant has volunteered for the Project to be part of the NSIP Reform EAP which facilitated the use of multiparty meetings during the pre-application stages.</p> <p>Stakeholder engagement primarily took place under the Evidence Plan Process (EPP), as documented in Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149). The EPP is a non-statutory, voluntary process and agreements are non-binding, however it provided a useful stakeholder engagement approach on key elements and outcomes of the PEIR process</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		to submit sufficient information to enable the SoS to conduct an Appropriate Assessment if required.	<p>which allows continued dialogue in between the formal (statutory and non-statutory) consultation processes documented in the Consultation Report (APP-032).</p> <p>The Applicant has engaged in post-scoping, pre-application consultation with both statutory and non-statutory consultees (This is further set out in Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process (APP-149), which includes further details of the series of regular consultation meetings held with key stakeholders on technical matters),</p> <p>In June 2023 the Applicant published a Preliminary Environmental Information Report (PEIR) in the format of a draft ES that formed the basis of the Application information submitted for statutory consultation under Sections 42 and 47 of the Planning Act 2008. This consultation period was open for 46 days between 7<sup>th</sup> June 2023 and 21 July 2023. Consultation feedback received has been carefully considered as the project design has been finalised and the documentation has been updated to form the final ES that accompanies the DCO (including deemed marine licence) application.</p> <p>The Applicant has prepared the ES on the basis of information submitted for statutory consultation under Sections 42, 47 and 48 of the 2008 Act.</p> <p>The consultation process described above informed several design/project changes. Table 1.1 within the Consultation report (APP--032), summarises onshore Project Refinement and key Consultation Feedback in relation to design elements.</p> <p>Refinements to the offshore Project parameters were not a central focus of the public consultation carried out under Section 47 of the 2008 Act but addressed by a number of statutory consultees both through bilateral engagement, the EPP and consultation carried out under Section 42.</p> <p>The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application. Full details of consultation on HRA and Compensation is set out in the Evidence Plan Report (APP-052).</p>
Financial and technical viability	EN-1 4.1.21- 4.1.22	<p>In deciding to bring forward a proposal for infrastructure development, the Applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of government interventions.</p> <p>Where the SoS considers that the financial viability and technical feasibility of the proposal has been properly assessed by the Applicant, it is unlikely to be of relevance in SoS decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).</p>	<p>The Applicant (GTR4 Ltd) is a joint venture between Corio Generation, TotalEnergies and Gulf Energy Development. Each of these companies bring a demonstrable track record of delivering renewable energy infrastructure development, in frameworks that deliver consumer value and capacity certainty.</p> <p>The Compulsory Acquisition Funding Statement (APP-026) and Compensation Funding Statement (APP-264) confirm that the Applicant is confident that the Project will be commercially viable based on the assessments it has undertaken. As such the SoS can conclude with confidence that the financial and technical feasibility of the Project is assured, and therefore it is considered that the Project is in accordance with paragraph 4.1.22 of EN-1.</p>
<b>EN-1 Part 4.2: The critical national priority for low carbon infrastructure</b>			
The critical national priority for low carbon infrastructure	EN – 1 4.2.1 - 4.2.3	Government has committed to fully decarbonising the power system by 2035, subject to security of supply, to underpin its 2050 net zero ambitions. More than half of final energy demand in 2050 could be met by electricity, as transport and heating in particular shift from fossil fuel to electrical technology.	The Project would contribute to decarbonising the power system by 2035, supporting 2050 net zero ambitions through the development of up to 100 WTG with a generating capacity of approximately 1.5GW .ES Chapter 2: Need, Policy and Legislative Context (APP-057) and the Planning Statement (APP-297) provide commentary on the Government's ambition to increase supply of energy from renewable sources

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Ensuring the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK’s strategy to increase supply of low carbon energy is dependent on deployment of renewable and nuclear power generation, alongside hydrogen and CCUS. Our energy security and net zero ambitions will only be delivered if we can enable the development of new low carbon sources of energy at speed and scale.</p> <p>With smart and strategic planning, the UK can maintain high environmental standards and minimise impacts while increasing the levels of deployment at the scale and pace needed to meet our energy security and net zero ambitions.</p>	<p>and the need for offshore wind farms, like the Project, as a key mechanism in supporting the transition towards net zero and supporting a shift away from fossils fuels.</p> <p>Regarding the references made to smart and strategic planning in Paragraph 4.2.3, The Project has been the subject of an iterative site selection and design process that has been informed by multiple rounds of statutory and non-statutory consultation as well as constraints mapping, assessment and locational decisions in the identification of project design for the offshore cable corridor, landfall, onshore cable corridor and onshore substation. This process was conducted to ensure the Project makes the greatest possible contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information provided within ES Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>In terms of high environmental standards, as outlined within ES Chapter 2: Need, Policy and Legislative Context (APP-057) the Project has been developed in accordance with relevant legislation, policy and guidance. In addition, in assessing the impacts of the Project, due regard to topic-specific legislation, policy, guidance has been considered in each ES chapter.</p>
	<p>EN – 1 4.2.4 - 4.2.6</p>	<p>The Government has therefore concluded that there is a CNP for the provision of nationally significant low carbon infrastructure.</p> <p>This does not extend the definition of what counts as nationally significant infrastructure: the scope remains as set out in the Planning Act 2008. Low carbon infrastructure for the purposes of this policy means:</p> <ul style="list-style-type: none"> <li>▪ for electricity generation, all onshore and offshore generation that does not involve fossil fuel combustion (that is, renewable generation, including anaerobic digestion and other plants that convert residual waste into energy including combustion, provided they meet existing definitions of low carbon; and nuclear generation), as well as natural gas fired generation which is carbon capture ready;</li> <li>▪ for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System;</li> <li>▪ for other energy infrastructure, fuels, pipelines and storage infrastructure, which fits within the normal definition of “low carbon”, such as hydrogen distribution, and carbon dioxide distribution;</li> <li>▪ for energy infrastructure which is directed into the NSIP regime under section 35 of the Planning Act 2008, and fit within the normal definition of “low carbon”, such as interconnectors, Multi-Purpose Interconnectors, or ‘bootstraps’ to support the onshore network which are routed offshore; and</li> <li>▪ Lifetime extensions of nationally significant low carbon infrastructure, and repowering of projects.</li> </ul> <p>The overarching need case for each type of energy infrastructure and the substantial weight which should be given to this need in assessing applications, as set out in</p>	<p>Offshore wind has been defined by Government as being a CNP and therefore the Project constitutes CNP infrastructure as outlined within the response to paragraph 3.3.62 and the Planning Statement (APP-297). The Government has highlighted that there is an urgent need for CNP Infrastructure to achieving energy objectives, together with the national security, economic, commercial, and net zero benefits.</p> <p>The Project would contribute towards decarbonising the power system by 2035 supporting 2050 net zero ambitions and providing the CNP required urgently to meet these aspirations.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		paragraphs 3.2.6 to 3.2.8 of EN-1, is the starting point for all assessments of energy infrastructure applications.	
	EN – 1  4.2.7	The CNP policy does not create an additional or cumulative need case or weighting to that which is already outlined for each type of energy infrastructure. The policy applies following the normal consideration of the need case, the impacts of the Project, and the application of the mitigation hierarchy. As such, it is relevant during Secretary of State decision making and specifically in reference to any residual impacts that have been identified. It should therefore also be given consideration by the ExA when it is making its recommendation to the SoS.	<p>The Project has followed the statutory regulations in assessing the impacts of the Project within the ES as outlined within ES Chapter 1: Introduction (APP-056) and ES Chapter 2: Need, Policy and Legislative Context (APP-057).</p> <p>The ES (APP-055) provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics.</p> <p>Whilst the Project may lead to temporary significant adverse effects during multiple phases of the development this is balanced against the significant benefit of the Project in the delivery of renewable energy. Additionally any long term effects of the Project will be mitigated as far as reasonable practicable. For example, Chapter 28 Landscape and Visual Assessment(APP-083) sets out that landscape and onshore visual effects can be mitigated through planting .</p>
	EN-1 4.2.8	During decision making, the CNP policy will influence how non-HRA and non-Marine Conservation Zone (MCZ) residual impacts are considered in the planning balance. The policy will therefore also influence how the Secretary of State considers whether tests requiring clear outweighing of harm, exceptionality, or very special circumstances have been met by a CNP Infrastructure application. Further detail is provided in paragraphs 4.2.15 to 4.2.17, and Figure 2.	<p>Adverse impacts are discussed across the ES and each Chapter highlights where required mitigation is proposed. The ES (both offshore and onshore) has been prepared in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 and the Marine Works (Environmental Impact Assessment) Regulations 2007. Each chapter provides a baseline, assessment and proposed mitigation where necessary to ensure there are no significant and cumulative effects as a result of the application.</p> <p>As demonstrated throughout the ES (APP-055), and Planning Statement (APP-297), the Applicant has shown how any non-HRA and MCZ likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES and Planning Statement, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project . It has been demonstrated that the Project is in accordance with the NPS.</p>
	EN-1 4.2.9	During decision making, the CNP policy also explains the Secretary of State’s approach to HRA derogations and MCZ assessments. Specifically, the policy explains how the alternative solutions and imperative reasons of overriding public interest (IROPI) tests are considered by the Secretary of State. Further detail is provided in paragraphs 4.2.18 to 4.2.22, and Figure 3.	<p>The Project is classified as CNP infrastructure. The Applicant considers that any anticipated impacts as a result of the Project and as reported in the Environmental Statement (APP-055) are clearly outweighed by the benefits. This is shown in Section 6.4 of the Planning Statement (APP-297) which provides an overview of how the Project has been developed in accordance with CNP policy including guidance relating to HRA derogations and MCZ assessments.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p>

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			<p>The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ assessment (APP-157) supports the DCO and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>As demonstrated within the ES (APP-032), the RIAA (APP-235), the MCZ assessment (APP-157), and Planning Statement (APP-297), the Applicant has shown how any likely significant negative effects relating to HRA or MCZ would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken into consideration. It has been demonstrated that the Project is in accordance with the NPS and does not introduce an impediment to the policies considered within any other NPS.</p>
Applicants Assessment	EN – 1 4.2.10	Applicants for CNP infrastructure must continue to show how their application meets the requirements in this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements.	<p>The Project has considered this NPS and the relevant technology specific NPS, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, as illustrated in the Planning Statement (APP-297).</p> <p>The ES (APP-055) and Report to Inform Appropriate Assessment (RIAA) (APP-235) provide a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics. The ES and RIAA also show how any likely significant negative effects would be avoided, reduced, mitigated or compensated in accordance with the mitigation hierarchy.</p>
	4.2.12	Applicants should set out how residual impacts will be compensated for as far as possible. Applicants should also set out how any mitigation or compensation measures will be monitored and reporting agreed to ensure success and that action is taken. Changes to measures may be needed e.g. adaptive management. The Cumulative impacts of multiple developments with residual impacts should also be considered.	<p>The ES sections and tables in the ‘Summary of Effects’ sections within the receptor chapters in the ES (APP-055) are structured to distinguish between the construction, operation, decommissioning and reinstatement (where relevant) phases of the Project, with proposals for compensation and monitoring proposed where appropriate.</p> <p>The ES Chapters also include consideration of the potential for cumulative effects to occur as a result of multiple developments. The approach to the Cumulative Effects Assessment (CEA) has taken account of the advice provided in The Planning Inspectorate’s Advice Note Seventeen (Cumulative Effects</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Assessment Relevant to Nationally Significant Infrastructure Projects) (The Planning Inspectorate, 2019) and has considered other projects, plans and activities on a tiered basis (relating to certainty of implementation and accuracy of the available information)
	4.2.13	Where residual impacts relate to HRA or MCZ sites then the Applicant must provide a derogation case, if required, in the normal way in compliance with the relevant legislation and guidance.	<p>Please see the Applicant’s response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features. The documents submitted as part of the Applicant’s derogation case are set out below (APP-243 – APP-264):</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ TCE Kittiwake Strategic Compensation Plan (APP-260);</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>
Secretary of State decision making	EN-1 4.2.14	The Secretary of State will continue to consider the impacts and benefits of all CNP Infrastructure applications on a case-by-case basis. The SoS must be satisfied that the applicant’s assessment demonstrates that the requirements set out above have been met. Where the SoS is satisfied that they have been met the CNP presumptions set out below apply.	<p>As described above, the Applicant’s assessment, both EIA as set out in the ES (APP-055) and HRA as set out in the RIAA (APP-235) demonstrate that the requirements for considering stakeholder consultation, residual impacts, the mitigation hierarchy and relevant tests under the NPSs and other legislation and policy have been met.</p> <p>The Project’s application of the mitigation hierarchy and compensation where required has minimised negative impacts.</p> <p>Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance.</p> <p>The key benefits of the Project include:</p> <ul style="list-style-type: none"> <li>• Supporting the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</li> <li>• Increasing the amount of renewable energy generated by offshore wind and so contribute to better energy security by reducing reliance on imported oil and gas, avoiding concentration risk and not relying on one fuel or generation type.</li> <li>• Provision of an affordable, reliable system through the deployment of technologies with complementary characteristics, required to meet future demand.</li> <li>• Contributing to the urgent need to replace polluting generating stations, such as coal, helping ensure the system is net zero consistent.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>Through further development in the offshore wind sector the Project will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base. Offshore wind is a highly skilled industry, which is well placed to create jobs and boost earning power in regions across the UK which require economic growth.</li> </ul> <p>As outlined throughout the ES, alongside its pertinent environmental benefits through the delivery of clean and affordable energy, the Project will also deliver significant social and economic benefits. As described in both the Planning Statement (APP-297) and Chapter 29: Socio-Economic Characteristics (APP-084), the development of offshore wind projects, like this Project, will contribute to a skilled, diverse workforce and strengthen the existing manufacturing base.</p>
Non-HRA—and non-MCZ residual impacts of CNP Infrastructure	EN-1 4.2.15— 4.2.16	<p>Where residual non-HRA or non-MCZ impacts remain after the mitigation hierarchy has been applied, these residual impacts are unlikely to outweigh the urgent need for this type of infrastructure. Therefore, in all but the most exceptional circumstances, it is unlikely that consent will be refused on the basis of these residual impacts. The exception to this presumption of consent are residual impacts onshore and offshore which present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. Further, the same exception applies to this presumption for residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.</p> <p>As a result, the Secretary of State will take as the starting point for decision-making that such infrastructure is to be treated as if it has met any tests which are set out within the NPSs, or any other planning policy, which requires a clear outweighing of harm, exceptionality or very special circumstances.</p>	<p>An ES (APP-055) supports the DCO application which considers the assessment principles outlined in Section 4 of EN-1. As demonstrated throughout Section 6 of the Planning Statement (APP-297) , the Applicant has shown how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy.</p>
	EN-1 4.2.17	<p>This means that the SoS will take as a starting point that CNP Infrastructure will meet the following, non-exhaustive, list of tests:</p> <ul style="list-style-type: none"> <li>where development within a Green Belt requires very special circumstances to justify development;</li> <li>where development within or outside a Site of Special Scientific Interest (SSSI) requires the benefits (including need) of the development in the location proposed to clearly outweigh both the likely impact on features of the site that make it a SSSI, and any broader impacts on the national network of SSSIs;</li> <li>where development in nationally designated landscapes requires exceptional circumstances to be demonstrated; and</li> </ul> <p>where substantial harm to or loss of significance to heritage assets should be exceptional or wholly exceptional.</p>	<p>No elements of the Project are situated within areas having the highest status of protection (National Parks, the Broads and Areas of Outstanding Natural Beauty (AONBs)). No part of the Project falls within Green Belt land. In addition, there are no landscape designations within the LVIA Study Area. There will, therefore, be no significant effects on landscape designations as they lie beyond the distance within which there is potential for significant effects to arise. Full details are set out in Chapter 28 Landscape and Visual Impact Assessment (APP-083).</p> <p>There will be no direct impact to any subtidal or Intertidal SSSI features as identified in Chapter 9: Benthic and Intertidal Ecology (APP-064).</p> <p>As set out in ES Chapter 21: Onshore Ecology (APP-076), there will be no direct impact to onshore SSSIs as the onshore Order Limits have been designed to avoid designated sites. Indirect impacts are considered within ES Chapter 21: Onshore Ecology (APP-076), Chapter 24 Hydrology and Flood Risk Assessment (APP-079) and Chapter 19 Air Quality (APP-074) which conclude indirect impacts as a result of effects arising from water quality, dust emissions, road traffic emissions and emissions from temporary construction non-road mobile machinery (NRMM), are considered not significant in EIA terms.</p> <p>All known and unknown marine archaeological and cultural heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Chapter 13 Marine and Intertidal Archaeology , Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Chapter 13: Marine and Intertidal Archaeology (APP-068). Potential impact on the marine archaeological and cultural heritage receptors of the Project is also discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068). Substantial harm has not been concluded.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>The assessment presented in Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Chapter 20 confirms that no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term. No designated archaeological remains would be physically affected by the Project and mitigation is proposed whereby there would be no residual significant impacts to non-designated archaeological remains. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise.</p>
HRA derogations and MCZ assessments for CNP Infrastructure	EN-1 4.2.18— 4.2.20	<p>Any HRA or MCZ residual impacts will continue to be considered under the framework set out in the Habitats Regulations and the Marine and Coastal Access Act 2009 respectively.</p> <p>Where, following Appropriate Assessment, CNP Infrastructure has residual adverse impacts on the integrity of sites forming part of the UK national site network, either alone or in combination with other plans or projects, the Secretary of State will consider making a derogation under the Habitats Regulations.</p> <p>Similarly, if during an MCZ assessment, CNP Infrastructure has residual impacts which significantly risk hindering the achievement of the stated conservation objectives for the MCZ, the SoS will consider making a derogation under section 126 of the Marine and Coastal Access Act 2009.</p>	<p>A MCZ Assessment has been provided as an appendix to Chapter 9 Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). The MCZ assessment has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>With regards to the HRA and MCZ there are no LSE with the exception of (in-combination) effects at the Flamborough and Filey Coast (FFC) Special Protection Area (SPA).</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Consultation has taken place through the Scoping process, EPP, and through statutory consultation meetings. In particular, the Applicant has engaged with Natural England (NE) for any compensation measures.</p> <p>The Applicant has concluded that the Project on its own will not have an Adverse Effect on Integrity (AEol) on any of the designated sites and features identified through screening. There is a potential risk of AEol in relation to the kittiwake feature of the Flamborough and Filey Coast SPA when the Project is considered in-combination with other plans, projects and activities. As such, the Applicant has submitted a Derogation Case (APP-242). The Applicant maintains that there will be no AEol on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only. Further information on the assessment of adverse effect on integrity (AEol) can be found in the RIAA.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The Derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEol cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p>
	EN-1 4.2.21	For both derogations, the SoS will consider the particular circumstances of any plan or project, but starting from the position that energy security and decarbonising the power sector to combat climate change:	As set out above in the Applicant’s response to paragraph 4.2.9, the derogation case is presented as part of the HRA in Derogation Case (APP-242) which explains the need for the Project, that there are no alternatives to achieve the Project objectives and that there is an IROPI in the Project coming forward.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>requires a significant number of deliverable locations for CNP Infrastructure and for each location to maximise its capacity. This NPS imposes no limit on the number of CNP infrastructure projects that may be consented. Therefore, the fact that there are other potential plans or projects deliverable in different locations to meet the need for CNP Infrastructure is unlikely to be treated as an alternative solution. Further, the existence of another way of developing the proposed plan or project which results in a significantly lower generation capacity is unlikely to meet the objectives and therefore be treated as an alternative solution; and</p> <p>are capable of amounting to IROPI for HRAs, and, for MCZ assessments, the benefit to the public is capable of outweighing the risk of environmental damage, for CNP Infrastructure.</p>	
	EN-1 4.2.22	<p>For HRAs, where an applicant has shown there are no deliverable alternative solutions, and that there are IROPI, compensatory measures must be secured by the SoS as the competent authority, to offset the adverse effects to site integrity as part of a derogation. For MCZs, where an applicant has shown there are no other means of proceeding which would create a substantially lower risk, and the benefit to the public outweighs the risk of damage to the environment, the SoS must be satisfied that measures of equivalent environmental benefit will be undertaken.</p>	<p>Please see the Applicant's response to paragraph 4.2.9 above.</p> <p>In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of 'without prejudice' compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ Assessment is presented in Volume 3, Chapter 9 Benthic and Intertidal Ecology Benthic and Intertidal Ecology, Appendix 9.4: Marine Conservation Zone Assessment (APP-157). No impacts have been identified.</p>
<b>EN-1 Part 4.3: Environmental Principles</b>			
Environmental Effects/ Considerations	EN-1 4.3.1 – 4.3.3	<p>All proposals for projects that are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) must be accompanied by an ES describing the aspects of the environment likely to be significantly affected by the Project.</p> <p>The Regulations specifically refer to effects on population, human health, biodiversity, land, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them.</p> <p>The Regulations require an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, transboundary, short, medium, and long-term, permanent, and temporary, positive, and negative effects at all stages of the Project, and also of the measures envisaged for avoiding or mitigating significant adverse effects.</p>	<p>An ES (APP-055) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022).</p> <p>The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects. It is therefore considered that the ES for the Project is in accordance with paragraph 4.3.1-4.3.3 of EN-1.</p> <p>Regarding the topics outlined in Paragraph 4.3.2 of EN-1, no significant residual effects have been identified as confirmed in the Sections and Chapters below which set out several mitigation measures:</p> <p><b>Human Health</b></p> <ul style="list-style-type: none"> <li>ES Chapter 30: Human Health (APP-085) - A number of mitigations across the different topics chapters apply to human health and major disasters including the Outline Construction Traffic Management Plan (APP-289), Outline Noise and Vibration Management Plan (APP-269) and Outline Code of Construction Practice (APP-268) to reduce the impacts of the works on human health.</li> </ul> <p><b>Biodiversity (onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 4: Onshore Ecology (APP-059) - The Project has made a number of commitments to reduce impacts on onshore ecological receptors. Most notably, the adoption of trenchless techniques at 216 separate sites along the onshore ECC and 400kV cable corridor to avoid impacts to major river and watercourses, priority habitats and designated sites. The Project has also been designed to avoid all ponds and woodland and reduce the need for severance of linear habitat features as much as possible. An Outline Landscape and Ecological Management Strategy (OLEMS) has been produced which presents the mitigation measures that will be undertaken to</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>manage the potential impacts to onshore ecological receptors. With measures in place the project will result in no significant effect for any of the impacts.</p> <ul style="list-style-type: none"> <li>ES Chapter 22: Onshore Ornithology (APP-077) - Potential harm to birds, is mitigated through a Construction Method Statement (CMS) and pre-works surveys, ensuring protection for nesting birds and preventing significant harm. Disturbance to protected bird species, is mitigated through seasonal restrictions and localised working commitments to minimise disruption to specific bird populations. Water and air quality are both managed through detailed assessments and embedded mitigation measures in the Pollution Prevention Emergency Incident Response Plan (PPEIRP) and Air Quality Management Plan (AQMP).</li> </ul> <p><b>Biodiversity (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 9: Benthic Subtidal and Intertidal Ecology (APP-064) - Mitigation strategies, including micro siting of infrastructure where possible to avoid areas of Annex 1 reef, have been adopted. Within the SAC, the Project has also committed to removable cable protection, should cable burial not be possible. An initial Cable Burial Risk Assessment has been undertaken. A further Cable Burial Risk Assessment will also inform cable burial as part of a Cable Specification and Installation Plan which will be developed for approval by the MMO prior to construction. To minimise the risk of pollution, a Project Environmental Management Plan will be produced; this will also be used to reduce the risk of invasive species. The Project design has also been refined to include trenchless cable installation (HDD) to remove impacts at the coast.</li> <li>ES Chapter 10: Fish and Shellfish Ecology (APP-065) - Mitigation measures include the development of a Cable Specification and Installation Plan (CSIP) to minimise habitat loss. Additionally, the implementation of a piling Marine Mammal Mitigation Protocol (MMMP) which details measure that will be implemented by the Project to limit the underwater noise levels to reduce the risk of auditory injury to negligible levels. Whilst the implementation of a MMMP is not aimed at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. To minimise the risk of pollution, a Project Environmental Management Plan will be produced which will also be used to reduce the risk of invasive species.</li> <li>ES Chapter 11: Marine Mammals (APP-066) – Mitigation measures have been committed to by the Project, such as the use of maximum hammer energies (6,600kJ for monopiles, 3,500kJ for pin-pile), soft start and ramp up procedures for piling, and a maximum of two piling events occurring simultaneously. Additionally, a Marine Mammal Mitigation Protocol (MMMP) for both piling and Unexploded Ordnance (UXO) clearance will be developed and implemented, the reduce the risk of auditory injury to negligible levels. A vessel management plan will also be developed, to reduce any collisions and minimise disturbance.</li> <li>ES Chapter 12: Offshore and Intertidal Ornithology (APP-067) - Mitigation measures and changes to the Project design have been adopted by the Project to minimise impacts on IOFs, such as adapting the array footprint to avoid important seabird habitat and raising the minimum tip height of the blades to 40m relative to mean sea level (MSL). A number of other mitigation measures have been proposed by way of compensation strategies for kittiwake, guillemot and razorbill species.</li> </ul> <p><b>Land Use and soil</b></p> <ul style="list-style-type: none"> <li>ES Chapter 25 Land Use (APP-080) - Mitigation includes the Code of Construction Practice (APP-268), the Outline Soil Management Plan (SMP) (APP-271) to manage soil effectively during stripping, handling and reinstating and the Outline Pollution Prevention and Emergency Incident Response Plan (PPEIRP) (APP-272) which includes measures to prevent pollution incidents</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Water (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 24 Hydrology, Hydrogeology and Flood Risk (APP-079) - The Project has made a number of commitments to minimise and reduce the risk to hydrology, hydrogeology and flood risk including obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, preparation of a Flood Management Response Plan and adherence to the PPEIRP. By incorporating these commitments no significant effects have been identified in relation to hydrology, hydrogeology and flood risk.</li> </ul> <p><b>Water (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 8: Marine Water and Sediment Quality (APP-063) - The Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application), which will be submitted to the MMO for approval prior to works being carried out.</li> </ul> <p><b>Air Quality</b></p> <ul style="list-style-type: none"> <li>ES Chapter 19: Air Quality (APP-074) - there are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</li> </ul> <p><b>Climate Change</b></p> <ul style="list-style-type: none"> <li>ES Chapter 31 Climate Change (APP-086) - The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</li> </ul> <p><b>Landscape (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 21 Landscape and Visual Assessment (APP-076) - The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</li> </ul> <p><b>Landscape (Offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 17: Seascape Landscape and Visual Impact Assessment (APP-072) - For Seascape and Landscape impacts have been mitigated as far as practical through the Project design which has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline.. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p><b>Material assets and cultural heritage (Onshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075) - Mitigation includes the project design to prevent or reduce potential impacts on Archaeology and Cultural Heritage receptors include implementation of an agreed programme of archaeological investigation work during construction to ensure that any heritage assets are identified and recorded. An outline version of the Onshore Written Scheme of Investigation has been provided with the application (APP-283).</li> </ul> <p><b>Material assets and cultural heritage (offshore)</b></p> <ul style="list-style-type: none"> <li>ES Chapter 13: Marine and Intertidal Archaeology (APP-068) - The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and micro sited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</li> </ul> <p>As such, the Project is considered to accord with the provisions set out within the NPS.</p>
	EN-1  4.3.4	To consider the potential effects, including benefits, of a proposal for a project, the applicant must set out information on the likely significant environmental, social, and economic effects of the development, and show how any likely significant negative effects would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy. This information could include matters such as employment, equality, biodiversity net gain, community cohesion, health, and well-being.	<p>An ES has been submitted for the Project which undertakes a thorough assessment including environmental, social and economic receptors.</p> <p>The assessment allows the weighing of impacts both adverse and beneficial to assist in the decision-making process. The topics referred to in Paragraph 4.3.4 of EN-1, are assessed in the following ES Chapters:</p> <p><b>Employment</b></p> <ul style="list-style-type: none"> <li>Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul> <p><b>Equality</b></p> <ul style="list-style-type: none"> <li>Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Biodiversity Net Gain</b></p> <p>A Biodiversity Net Gain Project Principles and Approach Statement (APP-302) has been prepared and submitted alongside the ES. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Applicant is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284) . A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design and in order to comply with the BNG statutory requirements for NSIPs (anticipated in November in 2025). Biodiversity gain calculations, using the Statutory Biodiversity Gain Metric, would be incorporated into a Biodiversity Gain Final Design Report.</p> <p><b>Community Cohesion</b></p> <ul style="list-style-type: none"> <li>ES Chapter 29 Socio-Economic Characteristics (APP-084)</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> </ul> <p><b>Health and well-being</b></p> <ul style="list-style-type: none"> <li>▪ ES Chapter 30 Human Health (APP-085)</li> <li>▪ ES Chapter 27 Traffic and Transport (APP-082)</li> <li>▪ ES Chapter 19 Onshore Air Quality (APP-074)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>Where necessary, the ES shows how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy and in order to demonstrate how this will be achieved a number of outline management plans are submitted with the application.</p>
	EN-1 4.3.5 – 4.3.7	For the purposes of this NPS and the technology specific NPSs the ES should cover the environmental, social, and economic effects arising from pre-construction, construction, operation and decommissioning of the project. Where the NPSs use the term ‘environment’ they are referring to both the natural and historic environments. In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments.	<p>The ES topic specific chapters (APP-071 to APP-086) present the assessment of likely significant environmental, social and economic effects that are predicted to occur as a result of the Project during the pre-construction, construction, operation and decommissioning phases. These have been prepared in accordance with the Scoping Opinion and Scoping Report included as appendices to the Consultation Report (APP-032) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation , Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Both the natural and historic environments have been considered. The predicted effects at each of the Project stages are presented, including the construction, operation and maintenance and decommissioning phases for both onshore and offshore works. As such it is considered that the ES for the Project is in accordance with paragraph 4.3.5 – 4.3.7 of EN-1</p>
	EN-1 4.3.8 – 4.3.9	In this NPS and the technology specific NPSs, when used in relation to environmental matters the terms ‘effects’, ‘impacts’ or ‘benefits’ should be understood to mean likely significant effects, likely significant impacts, or likely significant benefits.  As in any planning case, the relevance or otherwise to the decisionmaking process of the existence (or alleged existence) of alternatives to the proposed development is, in the first instance, a matter of law. This NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option from a policy perspective. Although there are specific requirements in relation to compulsory acquisition and HRA sites.	<p>The Application, in particular the ES (APP-055) has used the requirements and terminology set out within paragraphs 4.3.8-4.3.9 of EN-1.</p> <p>The Application has also adhered to legislative requirements, with further information detailed within Chapter 2 Need, Policy and Legislative Context (APP-057).</p> <p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
Applicant assessment	EN-1 4.3.10 – 4.3.11	The Applicant must provide information proportionate to the scale of the Project, ensuring the information is sufficient to meet the requirements of the EIA Regulations.  In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, The Applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case.	<p>The level of detail provided is proportionate to the scale of the Project. Section 1.5 of ES Chapter 5: EIA Methodology (APP-060) provides a description of the proportionate approach to environmental assessment that has been used in the production of the ES. Information has been prepared in accordance with the Scoping Opinion and Report (APP-034 and APP-035) and subsequent consultation undertaken through Volume 3, Chapter 6 Technical Consultation Technical Consultation, Appendix 6.1 Evidence Plan Process Consultation (document reference APP-149).</p> <p>Where full details cannot be provided, the Applicant has explained in the Application which elements of the proposal have yet to be finalised, and the reasons why this is the case. The design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters.</p>
	EN-1	Where some details are still to be finalised, the ES should, to the best of the applicant’s knowledge, assess the likely worst-case environmental, social and economic effects of	To ensure a robust EIA, a range of potential construction methodologies and infrastructure design options have been considered, and the ‘Maximum Design Scenario’ (MDS) (known as the ‘Rochdale Envelope’

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	4.3.12 – 4.3.13	<p>the proposed development to ensure that the impacts of the Project as it may be constructed have been properly assessed.</p> <p>To help the Secretary of State consider thoroughly the potential effects of a proposed project in cases where the EIA Regulations do not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the Project on the likely significant environmental, social, and economic effects.</p>	<p>approach) has been presented and assessed for each parameter. This approach allows for the assessment of the worst-case impacts specific to each chapter topic. Where precise details of the proposals are not known at the time of application submission, the Rochdale Envelope approach has been applied. Therefore, each chapter will assess the 'realistic worst-case' scenario (WCS) for each of the identified potential impacts, Further information is provided in Section 1.4 of ES Chapter 5: EIA Methodology (APP-060)</p> <p>Within the ES, a range of parameters for each aspect of the Project are defined and the MDS for each receptor and/or impact is identified and considered for assessment. Consultation has also been a key part of the Project, which includes the publication of the Project scoping report and four pre-application phases. The consultation process has followed statutory guidance and has facilitated the identification of matters that have directly led to design changes and commitments. Further information can be found within the Consultation Report (APP-032) and summarised in Chapter 3: Project Description (APP-058).</p> <p>This approach is particularly advantageous for large-scale developments involving complex engineering and multi-year development programmes (including offshore wind) where it is not possible to identify the exact components to be used within the final development, as it provides for flexibility in design and construction and allows for developments in technology to be implemented, provided they are within maximum extents and ranges assessed within the EIA. This is of particular relevance to offshore wind development, where the technology is constantly improving, with larger and more efficient turbines being developed.</p> <p>The use of existing data and site-specific survey has enabled an adequate characterisation of the receiving environment to enable a robust assessment to be undertaken against a realistic worst-case 'Rochdale Envelope' approach to project design. Post-consent, further survey work including Site Investigation (SI) will be required to inform the final detailed design preconstruction.</p>
	EN-1  4.3.15 – 4.3.17	<p>Applicants are obliged to include in their ES, information about the reasonable alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social, and economic effects and including, where relevant, technical and commercial feasibility.</p> <p>In some circumstances, the NPSs may impose a policy requirement to consider alternatives.</p> <p>Where there is a policy or legal requirement to consider alternatives, the applicant should describe the alternatives considered in compliance with these requirements.</p>	<p>The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints. Key feasible alternatives were taken forward for consultation where appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Chapter 4 provides a description of the site selection process and the approach undertaken by the Applicant to refine the design of the Project. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p> <p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul>
Secretary of State decision making	EN-1 4.3.18 – 4.3.19	The SoS should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy, or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place.	<p>To allow the SoS to consider the worst-case impacts, the design information is based on the best available information and the parameters outlined in the Project description chapters are realistic and considered estimations of future design parameters. Therefore, each chapter will assess the ‘realistic worst-case’ scenario for each of the identified potential impacts, referred to as the MDS which considers the likely worst cast environmental, social and economic effects.</p> <p>In addition, the inter-relationship of different disciplines across the physical, biological and human environments during the construction, operation and decommissioning phases of the onshore and offshore aspects of the Project have been considered across the specific ES chapters.</p> <p>The EIA Regulations require a consideration of cumulative effects, which is to say that the overall impact of the Project must be considered together with the impact of other proposed developments in the area. Cumulative effects are assessed and reported within each topic chapter of the ES.</p> <p>Across the ES, inter-related effects for the Project have been considered for both onshore and offshore matters. No significant inter-related effects arising as a result of the Project have been identified.</p>
	EN-1 4.3.20	The Government has set 13 legally binding targets for England under the Environment Act 2021, covering the areas of: biodiversity; air quality; water; resource efficiency and waste reduction; tree and woodland cover; and Marine Protected Areas (MPAs). Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery. The Secretary of State have regard to the ambitions, goals and targets set out in the Government’s Environmental Improvement Plan 2023 for improving the natural environment and heritage. This includes having regard to the achievement of statutory targets set under the Environment Act.	<p>Across the ES (APP-055) relevant legislation and guidance including the Environment Act 2021 have been considered in the assessment of different topic areas like biodiversity and air quality. In addition, such legislation has also been considered in the design of the Project, to ensure the proposed infrastructure is compliant (see additional information within Chapter 2: Need, Policy and Legislative Context (APP-057))</p> <p>The Applicant is also committed to maintaining and enhancing biodiversity as a result of the Project. This is realised within the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) which provides the proposed approach to enhancement of biodiversity. The measures are posed to provide areas of enhancement in onshore development areas, as well as areas outside of the Order Limits. Measures include an increase of habitat connectivity via restoration of historic field margins and pond and wetland creation and maintenance.</p> <p>In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-294). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 4.3.22	Given the level and urgency of need for new energy infrastructure, the Secretary of State should, subject to any relevant legal requirements (e.g. under the Habitats Regulations) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives:	The site selection process and alternatives considered have been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives were taken forward for consultation as appropriate through the Scoping process, EPP, or through consultation meetings, as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; only alternatives that can meet the objectives of the proposed development need to be considered.</li> </ul>	<p>This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of the Project.</p>
	EN-1  4.3.23 – 4.3.24	<p>The SoS should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security, climate change, and other environmental benefits) in the same timescale as the proposed development.</p> <p>The SoS should not refuse an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals.</p>	<p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p> <p>The Applicant took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into three driving principles:</p> <ul style="list-style-type: none"> <li>Engineering considerations – what infrastructure is required to achieve an economic and efficient development.</li> <li>Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>Consultation – how has the Applicant taken on board the feedback from stakeholders and the local communities in developing the Project.</li> </ul> <p>Alternatives were identified as early as possible and the site selection process and alternatives considered have been through detailed analysis of environmental, social, and engineering constraints, with key feasible alternatives taken forward for consultation either through the Scoping process, the Evidence Plan, or specific evidence plan meetings.</p>
	EN-1  4.3.25 – 4.3.28	<p>Alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the SoS thinks they are both important and relevant to the decision.</p> <p>As the SoS must assess an application in accordance with the relevant NPS (subject to the exceptions set out in section 104 of the Planning Act 2008), if the SoS concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the SoS’s decision.</p> <p>Alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p> <p>Alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the SoS’s decision.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
	EN-1  4.3.29	<p>It is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the SoS (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore, where an alternative is first put forward by a third party after an application has been made, the Secretary of State may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the Secretary of State should not necessarily expect The Applicant to have assessed it.</p>	<p>Development of the project has continued since the production of the Scoping Report in September 2021, and this process continued through the PEIR to final ES stage, being informed by engagement with Stakeholders, ongoing engineering design and feasibility work, consideration of additional survey data and assessment outcomes. A Consultation Report, accompanying the DCO application, is provided (APP-032) and provides a record of how the project has had due regard to the responses received.</p>
<b>EN-1 Part 4.4. Health</b>			
Health	EN-1  4.4.1-4.4.3	<p>Energy infrastructure has the potential to impact on the health and well-being (“health”) of the population. Access to energy is clearly beneficial to society and to our health as a whole. However, the construction of energy infrastructure and the production, distribution and use of energy may have negative impacts on some people’s health.</p> <p>The direct impacts on health may include</p> <ul style="list-style-type: none"> <li>increased traffic</li> <li>air or water pollution</li> <li>dust, odour</li> <li>hazardous waste and substances</li> </ul>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES.</p> <p>Specifically, impacts to human health are assessed within Chapter 30 Human Health (APP-085). Chapter 30 concludes that the main drivers of potential human health effect are the construction process and the associated construction traffic. These activities may lead to increased noise levels, dust and emissions. However, a combination of embedded mitigation (described in this chapter) and additional mitigation (detailed in the relevant technical chapters) can be used to control these impacts to an acceptable level (not significant in EIA terms).</p>

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		<ul style="list-style-type: none"> <li>▪ Noise</li> <li>▪ exposure to radiation, and</li> <li>▪ increases in pests</li> </ul> <p>New energy infrastructure may also affect the composition and size of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport, or the use of open space for recreation and physical activity.</p>	<p>Mitigation measures are included within the OCoCP (APP-268) to be secured as a requirement of the DCO.</p> <p>In light of the above it is considered that the ES for the Project is in accordance with 4.4.1 -4.4.3 of NPS EN-1</p>
Applicant assessment	EN-1 4.4.4 – 4.4.6	<p>As described in the relevant sections of this NPS and in the technology specific NPSs, where the proposed project has an effect on humans, the ES should assess these effects for each element of the Project, identifying any potential adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant should consider the cumulative impact on health in the ES where appropriate. Opportunities should be taken to mitigate indirect impacts, by promoting local improvements to encourage health and wellbeing, this includes potential impacts on vulnerable groups within society, i.e., those groups which may be differentially impacted by a development compared to wider society, and impacts on those with protected characteristics under the Equality Act 2010, i.e. those groups which may be differentially impacted by a development compared to wider society as a whole.</p>	<p>Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to human health are assessed within ES Chapter 30 Human Health (APP-085). As noted in the response to EN-1 4.4.1 -4.4.3 above, this assessment finds that for the general population there would be no significant (in EIA terms) effect on human health as a result of the Project.</p> <p>The Project has made a number of commitments during the construction and operational phases of the project to reduce and minimise the impacts to human health which are secured through the Outline Code of Construction Practice (APP-268), Outline Noise and Vibration Management Plan (APP-269), Outline Air Quality Management Plan (APP-270), and the outline onshore archaeological WSI (APP-283).</p> <p>Through consideration of potential impacts to human health, including cumulative assessment, and the provision of mitigation, it is considered that the ES for the Project is in accordance with 4.4.4 -4.4.8 of NPS EN-1</p>
Secretary of state decision making	EN-1 4.4.7 - 4.4.8	<p>Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either by themselves constitute a reason to refuse consent or require specific mitigation under the Planning Act 2008. However, not all potential sources of health impacts will be mitigated in this way and the Secretary of State may want to take account of health concerns when setting requirements relating to a range of impacts such as noise.</p>	
<b>EN-1 Part 4.5: Marine Considerations</b>			
Marine Considerations	EN-1 4.5.1	<p>The MPS is the framework for preparing Marine Plans and taking decisions affecting the marine environment, as per section 44 of the Marine and Coastal Access Act 2009. Marine plans apply in the 'marine area', which is the area from mean high water springs to the seaward limit of the Exclusive Economic Zone (EEZ). The 'marine area' also includes the waters of any estuary, river, or channel, so far as the tide flows at mean high water spring tide.</p>	<p>The MPS adopted by all UK administrations in March 2011 provides the policy framework for the preparation of marine plans and establishes how decisions affecting the marine area should be made in order to enable sustainable development.</p> <p>The marine plans and MPS have been considered in developing the application for consents for the Project.</p> <p>In particular the Government's Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 4.5.2 – 4.5.3	<p>Marine plans set out marine specific aspects of many of the assessment principles in Part 4 and 5 of this NPS. Individual Marine Plans should be consulted to understand marine relevant specific considerations.</p> <p>The cross-government Marine Spatial Prioritisation Programme will review how marine plans and the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas is taken and to maximise co-location possibilities.</p>	<p>In particular the Government’s Marine Plans have been considered within the establishment of the Baseline environment, set out in Chapter 18: Marine Infrastructure and Other Users (APP-073). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>The MPSs have been considered where relevant throughout the Planning Statement (APP-297) and this document and it has been demonstrated that the Project is aligned with the MPS objectives and policies.</p> <p>The DCO identifies requirements that may be applied to the Project and incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act 2009.</p>
	EN-1 4.5.5 – 4.5.6	<p>The Government is producing guidance to help applicants and regulators understand how to consider environmental impacts on MPAs, including applying the mitigation hierarchy and using strategic approaches. The guidance will not extend to waters where the devolved administrations have competence for managing MPAs.</p> <p>A dML can be granted as part of the DCO and is developed in consultation with regulators and statutory advisors. A Marine Licence is primarily concerned with the need to protect the environment and human health and to prevent interference with other legitimate uses of the sea. Marine Licences may be required for the marine elements of proposed developments (up to Mean High Water Springs), including associated development and activity such as cabling, dredging and OSSs. Applicants should consult Part 4 Section 66 of the Marine and Coastal Access Act 2009 when considering what activities will require a Marine Licence. A Marine Licence cannot be deemed under the Planning Act 2008 in Waters adjacent to Wales up to the 12nm seaward limits of the territorial sea.</p>	<p>Further guidance is expected from Defra on approaches to more strategic options associated with the mitigation hierarchy, in particular with regards to derogation and compensatory measures. This work is also supported by groups such the Collaboration on Offshore Wind Strategic Compensation (COWSC) which is working to develop measures which can be applied if compensation is required, particularly if a more strategic approach is required.</p> <p>A draft DCO is submitted as part of the Application which identifies requirements that may be applied to the Project, and also incorporates deemed marine licences that would otherwise be required under the Marine and Coastal Access Act 2009, and which identify conditions that may be applied to the Project.</p> <p>The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p>
	EN-1 4.5.7	<p>Applicants are encouraged to approach the marine licensing regulator (MMO in England and Natural Resources Wales in Wales) in pre-application, to ensure that they are aware of any needs for additional marine licenses alongside their DCO application.</p>	
Applicant assessment	EN-1 4.5.8	<p>Applicants for a DCO must take account of any relevant Marine Plans and are expected to complete a Marine Plan assessment as part of their project development, using this information to support an application for development consent.</p>	<p>The marine plans and MPS have been considered in developing the application for consents for the Project. The Government’s Marine Plans have been considered within the establishment of the baseline environment, set out in Chapter 18 Marine Infrastructure and Other Users (APP-073 ). The Government’s Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p>
	EN-1 4.5.9	<p>Applicants are encouraged to refer to Marine Plans at an early stage, such as in pre-application, to inform project planning, for example to avoid less favourable locations as a result of other uses or environmental constraints.</p>	
Secretary of State decision making	EN-1 4.5.10 – 4.5.12	<p>Section 104(2)(aa) of the Planning Act 2008 requires the Secretary of State to have regard to any appropriate marine policy documents when making a decision on an application for a DCO where an NPS has effect. This will include any Marine Plan which is in effect for the relevant area, or areas where the project crosses the boundary between plan areas.</p> <p>In making a decision, the SoS is responsible for determining how the Marine Plan informs the decision-making process. For example, the Secretary of State will determine if and how proposals meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>In the event of a conflict between an NPS and any marine planning documents, the NPS prevails for purposes of decision making.</p>	<p>A summary of the potential environmental effects is identified and approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning are set out in each of the offshore ES Chapters.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO as has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-1 Part 4.6: Environmental and Biodiversity Net Gain (BNG)			
Environmental and Biodiversity Net Gain	EN-1 4.6.1 – 4.6.2	Environmental net gain is an approach to development that aims to leave the natural environment in a measurably better state than beforehand. Projects should therefore not only avoid, mitigate and compensate harms, following the mitigation hierarchy, but also consider whether there are opportunities for enhancements. BNG is an essential component of environmental net gain. Projects in England should consider and seek to incorporate improvements in natural capital, ecosystem services and the benefits they deliver when planning how to deliver BNG.	A Biodiversity Net Gain Report Principles and Approach (APP-302) has been prepared which outlines the commitment of the Project to providing BNG and identifies the onsite and offsite opportunities being proposed/investigated. The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities. An initial BNG appraisal is included within the Biodiversity Net Gain Report Principles and Approach (APP-302). In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (APP-284). A further BNG assessment will also be undertaken at the detailed design stage to account for potential changes to the detailed scheme design.  Opportunities for environmental enhancement are also discussed in the Design Principles Statement (APP-293).
	EN-1 4.6.3	Currently BNG policy in England only applies to terrestrial and Intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by Government who will provide guidance in due course. There are provisions in the Environment Act 2021 to allow Marine Net Gain to be made mandatory for NSIPs in the future.	Projects, or components of projects, in the marine environment are not currently included within the scope of the mandatory requirements for biodiversity net gain and are not considered in relevant ES reports.
Applicant Assessment	EN-1 4.6.6-4.6.8	Energy NSIP proposals, whether onshore or offshore, should seek opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity, and the wider environment where possible. In England applicants for onshore elements of any development are encouraged to use the latest version of the biodiversity metric to calculate their biodiversity Baseline and present planned BNG outcomes. This calculation data should be presented in full as part of their application. Where possible, this data should be shared alongside a completed biodiversity metric calculation, with the Local Authority and NE for discussion at the pre-application stage as it can help to highlight biodiversity and wider environmental issues which may later cause delays if not addressed.	In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). This document is being updated with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric) and will be submitted to the ExA.
	EN-1 4.6.10 – 4.6.12	BNG should be applied after compliance with the mitigation hierarchy and does not change or replace existing environmental obligations, although compliance with those obligations will be relevant to the question of the baseline for assessing net gain and if they deliver an additional enhancement beyond meeting the existing obligation, that enhancement will count towards net gain. BNG can be delivered onsite or wholly or partially off-site. We encourage details of any off-site delivery of BNG to be set out within the application for development consent. When delivering BNG off-site, developments should do this in a manner that best contributes to the achievement of relevant wider strategic outcomes, for example by increasing habitat connectivity, enhancing other ecosystem service outcomes, or considering use of green infrastructure strategies. Reference should be made to relevant national or local plans and strategies, to inform off-site biodiversity net gain delivery. If published, the relevant strategy is the Local Nature Recovery Strategy (LNRS). If an LNRS has not been published, the relevant consenting body or planning authority may specify alternative plans, policies, or strategies to use.	The mitigation hierarchy has been applied in the EIA in the first instance to address the potential effects of the Project. An outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) has also been submitted as part of the application which sets out in-principle measures designed to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources arising from the onshore elements of the Project. The purpose of the OLEMS is to: <ul style="list-style-type: none"> <li>▪ Set out the key measures to avoid, reduce, mitigate, or compensate for potential impacts on landscape and biodiversity resources, that may be required prior to, during and post construction (where applicable);</li> <li>▪ Provide an outline of the management required to ensure that both created and enhanced habitats achieve target condition, and that populations of species are maintained at favourable conservation status; and</li> <li>▪ Ensure compliance with the relevant legislation relating to ecology.</li> </ul> An Biodiversity Net Gain Report Principles and Approach (APP-302) was submitted as part of the DCO Application. This document presents the initial findings of the provisional Biodiversity Net Gain (BNG) assessment and presents the Project's principles and approach to BNG in respect of proposed onshore

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			<p>aspects of the Project, outlining the Applicant’s ambition to deliver BNG and demonstrating their work to date in relation to both onsite and offsite opportunities, alongside an inclusion of a baseline assessment calculation. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284).</p> <p>This document is being updated to account for further progress made by the Applicant and with an updated metric and guidance (updating from Metric 4.0 to the Statutory Metric). This update, alongside any future iterations of the report or metric in response to new or developed opportunities that arise during the examination phase will be submitted to the ExA. Where relevant, an updated OLEMS will also be submitted to secure BNG commitments made.</p> <p>Detailed design is likely to see the maximum design scenario reduced as efficiencies in delivery cost, schedule and electrical transmission are accounted for in detail. The detailed design scenario will therefore be used to determine a more accurate estimation of the Project’s BNG.</p>
	EN-1 4.6.13	<p>In addition to delivering BNG, developments may also deliver wider environmental gains and benefits to communities relevant to the local area, and to national policy priorities, such as reductions in GHG emissions, reduced flood risk, improvements to air or water quality, climate adaptation, landscape enhancement, increased access to natural greenspace, or the enhancement, expansion or provision of trees and woodlands. The scope of potential gains will be dependent on the type, scale, and location of specific projects. Applicants should look for a holistic approach to delivering wider environmental gains and benefits through the use of nature-based solutions and Green Infrastructure.</p>	<p>In addition to possible BNG benefits, the Project will deliver a number of other environmental enhancements, including contributing towards meeting GHG targets at the local-national scales. ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the Project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>Landscape enhancement is captured in the captured in an outline Landscape and Ecological Management Strategy (OLEMS) (APP-284), as is mitigation, which sets out several principles for the loss priority habitats and impacts on protected species, whilst also delivering positive biodiversity impacts. Further information on Local Area benefits is provided in Section 2.3 of the Design Approach Document (APP-292).</p>
	EN-1 4.6.14	<p>The Environment Act 2021 mandated the preparation of LNRs across England. They are a new system of spatial strategies for nature recovery and will play a major role in providing detail on the best locations to create, enhance and restore nature and deliver wider environmental benefits. LNRs will also agree priorities for nature recovery and map the most valuable existing areas for nature. They will be critical in delivering new government targets for species abundance and habitat creation commitments, as well as other pressing environmental outcomes for water and flood risk, carbon and tree planting and woodland creations. LNRs will also drive the creation of a Nature Recovery Network (NRN), a major commitment in the government’s 25 Year Environment Plan.</p>	<p>With regards to LNRs, these are not yet currently available. Currently, the Greater Lincolnshire LNR is in its early stages of project planning and organisation. The Government has indicated that most responsible authorities will take 12 to 18 months to prepare and publish their strategy. By March 2025 LNRs should be in place across the whole of England.</p>
	EN-1 4.6.15	<p>Applications for development consent should be accompanied by a statement demonstrating how opportunities for delivering wider environmental net gains have been considered, and where appropriate, incorporated into proposals as part of good design (including any relevant operational aspects) of the Project.</p>	<p>An ES (APP-055 -APP-234) accompanies the application which, alongside the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284) and Biodiversity Net Gain Report Principles and Approach (APP-302), sets out potential opportunities for net gain that are being explored by the Applicant.</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p>

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			<p>Further commentary of the Project's approach to biodiversity can be found within the Biodiversity Net Gain Report Principles and Approach (APP-302),</p> <p>Additional information on how the Project has adopted good design principles can also be found within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), which outlines that the Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts.</p> <p>Consideration of good design principles is also provided in the Design Approach Document (APP-292) and Design Principles Statement (APP-293)</p>
	EN-1 4.6.16	Applicants should make use of available guidance and tools for measuring natural capital assets and ecosystem services, such as the Natural Capital Committee's 'How to Do it: natural capital workbook', the governments guidance on Enabling a Natural Capital Approach (ENCA), and other tools that aim to enable wider benefits for people and nature.	<p>The policy, legislation and guidance that has informed the assessment relating to natural capital assets and ecosystems services is outlined within ES Chapter 21 Onshore Ecology (APP-076) and includes:</p> <ul style="list-style-type: none"> <li>▪ Conservation of Habitats and Species Regulations 2017</li> <li>▪ Wildlife and Countryside Act 1981</li> <li>▪ Environment Act 2021</li> <li>▪ Natural Environment &amp; Rural Communities Act 2006</li> <li>▪ Biodiversity Metric 4.0 calculator and User Guide (Natural England, 2021)</li> <li>▪ 'Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine version 1.2'. (CIEEM, 2022).</li> </ul>
	EN-1 4.6.17	Where environmental net gain considerations have featured as part of the strategic options appraisal process to select a project, applicants should reference that information to supplement the site-specific details.	<p>The Project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design.</p> <p>The ES also sets out the alternatives considered and explains the main reasons for the choice between alternative.</p> <p>ES Chapter 5 Environmental Impact Assessment Methodology (APP-060) describes the site-specific details of the stages of the design iteration from inception through to the current point of ES DCO submission where environmental considerations were a key factor in decision making.</p> <p>Where appropriate, as concluded within the Planning Statement (APP-297) compensation has been set out to ensure there is no significant residual environmental effects.</p>
	EN-1 4.6.18	Opportunities for environmental, social, and economic enhancements, protection and mitigation measures are identified in a number of sections in Part 5 of this NPS, which provides guidance on the impacts of new energy infrastructure.	The opportunities outlined in Part 5 of this NPS have been considered in the development of the Project. Throughout the ES (APP-055) opportunities for environmental, social, and economic enhancements, protection and mitigation measure have been set out. Mitigation is outlined in the Schedule of Mitigation (APP-287).
Secretary of State Decision Making	EN-1 4.6.1	Although achieving BNG is not currently an obligation on applicants, Schedule 15 of the Environment Act 2021 contains provisions which, when commenced, mean the Secretary of State may not grant an application for DCO unless satisfied that a biodiversity gain objective is met in relation to the onshore development in England to which the application relates.	The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before.
	EN-1	The biodiversity gain objective will be set out in a biodiversity gain statement (as defined under the Environment Act 2021). Normally these statements would be included within	The Applicant is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.

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	4.6.2 – 4.6.3	<p>an NPS, but the Act allows for the statement to be published separately where a review of an NPS has begun before the provisions are commenced, as is the case with these energy NPSs. Under the provision of the Environment Act 2021, any such separate biodiversity gain statement will be regarded as being contained within these NPSs.</p> <p>The SoS should give appropriate weight to environmental and BNG, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p>	
EN-1 Part 4.7: Criteria for “good design” for energy infrastructure			
Criteria for good design for Energy Infrastructure	EN-1 4.7.1	<p>The visual appearance of a building, structure, or piece of infrastructure, and how it relates to the landscape it sits within, is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object – be it a building or other type of infrastructure – including fitness for purpose and sustainability, is equally important.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted such that the aesthetic appearance of the infrastructure elements does not detract from landscape quality.</p> <p>Opportunities for making final design decisions early are limited by the need to retain flexibility across several parameters including WTG numbers, size, and location through the planning stages and the need to assess worst-case environmental effects has been conducted as a result throughout the ES.</p> <p>However, where practically possible, the Applicant has proposed mitigation measures to enhance landscape quality as outlined within Chapter 28: Landscape and Visual Assessment (APP-083). This includes positive ecological enhancement proposals within the OLEMS (APP-284) which provides for the incorporation of screening proposals that form part of a proposed approach to enhancement of biodiversity.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>
	EN-1 4.7.2 - 4.7.4	<p>Applying good design to energy projects should produce sustainable infrastructure sensitive to place, including impacts on heritage, efficient in the use of natural resources, including land-use, and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area.</p> <p>Good design is also a means by which many policy objectives in the NPSs can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies, can help mitigate adverse impacts such as noise. Projects should look to use modern methods of construction and sustainable design practices such as use of sustainable timber and low carbon concrete. Where possible, projects should include the reuse of material.</p>	<p>“Good design” has been at the forefront of decision making throughout the evolution of the Project; strongly influencing site selection and the design commitments and principles which the Applicant has been able to reach at this stage. The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design.</p> <p>The Project was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects.</p> <p>The siting of the Project’s landfall, onshore ECC and OnSS have incorporated design considerations from the outset. The Project took a reactive and dynamic approach to the site selection process in both the consideration of alternatives and in the final refinement of the Order Limits for both the offshore and</p>

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		<p>Given the benefits of good design in mitigating the adverse impacts of a project, applicants should consider how good design can be applied to a project during the early stages of the project lifecycle.</p>	<p>onshore elements of the Project. While there are a multitude of factors that are considered in this process, these can be summarised into the following driving principles:</p> <ul style="list-style-type: none"> <li>▪ Engineering considerations – what infrastructure is required to achieve the Project’s purpose.</li> <li>▪ Environmental considerations – how can the engineering be achieved to avoid or minimise adverse impacts on the environment without compromising the Project’s overall purpose.</li> <li>▪ Consultation – how has the Project taken on board the feedback from stakeholders and the local communities to deliver the Project in best possible way.</li> <li>▪ Sense of Place – how the Project can create a distinctive place that delivers beneficial spatial outcomes for the local community.</li> </ul> <p>The Project has been the subject of an iterative design and site selection process, across these stages principles of good design have been applied. The Applicant has adopted several modern construction and sustainable design practices, which are described within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This includes committing to burying all onshore cables as opposed to using overhead lines to minimise landscape effects and committed to using trenchless technologies where possible, to avoid compromising existing sea defences, help protect sensitive receptors and minimise the extent of direct interaction with coastal features. As an example, the commitment to undertake approximately 216 trenchless crossings has also meant the Applicant has managed to avoid the removal of up to 17,280m of hedgerows along the Onshore ECC and 400kV cable corridor</p> <p>Principles of good design as a way to mitigate adverse impacts of have been considered at the early stages of the Project.</p> <p>Further commentary can also be found within Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052)</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>
Applicant Assessment	EN-1 4.7.5	<p>To ensure good design is embedded within the project development, a project board level design champion could be appointed, and a representative design panel used to maximise the value provided by the infrastructure. Design principles should be established from the outset of the project to guide the development from conception to operation. Applicants should consider how their design principles can be applied post-consent.</p>	<p>Section 5.3 of the DAD confirms that the Applicant has appointed a Design Champion in accordance with the NPS. The Design Champion will be accountable for delivering coherent good design and holds the project team to account in terms of a macro vision of design. The Design Champion will guide and champion an iterative design process to test the best way of achieving the design principles as set out in the DAD where further detail on the Design Champion Role is also provided. Section 5.4 of the DAD confirms the Project has committed to a Local Design Panel as well as an External Design Review of the OnSS, alongside further information on external design review approach.</p> <p>Design decisions in terms of the Project’s infrastructure and location are set out within Chapter 4 Site Selection and Consideration of Alternatives (APP-059). This chapter shows how design principles have been established from the outset of the Project to guide the development from conception to operation.</p> <p>Further design considerations of relevance to the onshore and offshore design are set out in Chapter 3 Project Description (APP-058).</p> <p>Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the OnSS is outlined within the OLEMS (APP-284).</p>

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			<p>The Project’s approach to good design- (taking fully into account the policy requirements) is explained more fully in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293).</p> <p>As such, in so far as practicable, it is considered that the Project is in accordance with paragraph 4.7.5.</p>
	<p>EN-1 4.7.6 – 4.7.9</p>	<p>Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform, and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. Applicants should also, so far as is possible, seek to embed opportunities for nature inclusive design within the design process.</p> <p>Applicants must demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected.</p> <p>Applicants should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service. Applicants should also consider any design guidance developed by the local planning authority.</p> <p>Further advice on what applicants should demonstrate by way of good design is provided in the technology specific NPSs where relevant.</p>	<p>The Applicant has considered their approach to the design of each of the offshore and onshore elements in a holistic way. This is detailed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The chapter considers each offshore and onshore design element, its relationship to the other elements of the design as well as the consultation responses received to inform their optioneering works and ultimately refine the Project design to the Order limits.</p> <p>The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. . Embedded environmental measures that address Seascape, Landscape and Visual effects are presented in Chapter 17 Seascape, Landscape and Visual (APP-062) and measures that address onshore landscape and visual effects are presented in Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>For the onshore infrastructure, a key design choice made at the start of the Project was to install cables underground, rather than using overhead lines, to convey electricity from Landfall to the OnSS. Further consideration has been had when proposing laying of cables, identifying potential reinstatement measures and enhancements for the surrounding area.</p> <p>The OnSS does lead to some visual effects, however these are not considered significant past 15 years (as assessed in ES Chapter 28: Landscape and Visual Assessment (APP-083)). Impacts have been minimised as far as practical during the site selection process. The OnSS will be located in an area where significant effects are not avoidable, and as such proposals for additional screening and planting are set out in Design Principles Statement (APP-293), which would provide mitigation and enhancements to the local area and reduce the significance of effect in the long term and incrementally during the initial period of planting establishment.</p> <p>Design decisions in terms of Project infrastructure and location are set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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Secretary of State decision making	EN-1 4.7.10 – 4.7.11	<p>In the light of the above and given the importance which the Planning Act 2008 places on good design and sustainability, the Secretary of State needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable, and adaptable (including taking account of natural hazards such as flooding) as they can be.</p> <p>In doing so, the Secretary of State should be satisfied that the applicant has considered both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located, any potential amenity benefits, and visual impacts on the landscape or seascape) as far as possible.</p>	<p>As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The proposal as presented is both sustainable and functional. For example, Table 3.1 of the Design Principles Statement (APP-293), sets out the design principles that are to be adopted, categorised in line with the four design principles to guide the planning and delivery of major infrastructure as set out in ‘Design Principles for National Infrastructure’ (National Infrastructure Commission, February 2020), namely Climate, People, Place and Value. The table sets out how design principles such as safety, functionality, visual impact and environmental mitigation will be considered in the design of the OnSS.</p> <p>The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the Project objectives.</p> <p>Further design considerations relating to functionality, sustainability and aesthetics are set out in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p> <p>Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284). The ES takes into account climate change and natural hazards.</p> <p>With regards to offshore design, the Project is being designed in so far as reasonably practicable to apply good design, siting WTGs in an area that seeks to reduce visual effects, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Further design refinements, such as reducing WTG height or altering colour are not considered feasible due to the flexibility needed to account for due to uncertainty in unforeseen technological advances (as recognised in NPS EN-3) or due to other considerations, such as operational safety, which requires the WTGs to be appropriately marked and painted to comply with navigational safety requirements.</p>
	EN-1 4.7.12 – 4.7.15	<p>In considering applications, the SoS should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. Many of the wider impacts of a development, such as landscape and environmental impacts, will be important factors in the design process. The SoS should consider such impacts under the relevant policies in this NPS. Assessment of impacts must be for the stated design life of the scheme rather than a shorter time period.</p> <p>The SoS should consider taking independent professional advice on the design aspects of a proposal. In particular, the Design Council can be asked to provide design review for nationally significant infrastructure projects.</p>	<p>Safety of the public and operatives is an overriding principle that must be given the highest priority when making every design decision. The design of all components shall be functional and fit the purpose of maximising the generating capacity within the technical, environmental and energy affordability constraints of the Project and to displace carbon emissions helping to meet national and international carbon reduction targets, in line with the project objectives.</p> <p>The ES chapters scoped into the Project assess all operational phase impacts as occurring throughout the operational lifetime of the Project, rather than a shorter time period.</p> <p>The Project’s approach to good design is explained more fully in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Further advice on what the SoS should expect applicants to demonstrate by way of good design is provided in the technology specific NPSs where relevant.	
EN-1 Part 4.10: Climate Change Adaptation and Resilience			
Climate Change Adaptation and Resilience	EN-1 4.10.1	Whilst we must continue to accelerate efforts to end our contribution to climate change by reaching Net Zero greenhouse gas emissions, adaptation is also necessary to manage the impacts of current and future climate change. If new energy infrastructure is not sufficiently resilient against the possible impacts of climate change, it will not be able to satisfy the energy needs as outlined in Part 3 of this NPS.	The ES has considered the potential effects of climate change and natural hazards of the Each topic-specific chapter of the ES includes a climate change section and description of the evolution of the baseline environment relevant to that ES topic, as it would be expected to occur without the implementation of the development, in so far as natural changes from the baseline scenario can be assessed. The baseline environment is expected to change in response to natural variation, including through climatic changes over the lifetime of the Project.
	EN-1 4.10.2	Climate change is already altering the UK's weather patterns and this will continue to accelerate depending on global carbon emissions. This means it is likely there will be more extreme weather events. As well as climatic and seasonal changes such as hotter, drier summers and warmer, wetter, winters, there is also a likelihood of increased flooding, drought, heatwaves, and intense rainfall events, as well as rising sea levels, increased storms and coastal change. Adaptation is therefore necessary to deal with the potential impacts of these changes that are already happening.	Chapter 3 Project Description (APP-058) describes how the Project has adopted a Maximum Design Scenario (MDS), which is illustrative of the Project's resilience to environmental changes anticipated during the lifetime of the Project.  The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections, as per Chapter 31: Climate Change (APP-086). Examples include:
	EN-1 4.10.3-4.10.4	To support planning decisions, the government produces a set of UK Climate Projections as well as hazard specific tools and guidance like the Environment Agency's climate change allowances for flood risk assessments. In addition, the government's National Adaptation Programme and Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change.  The generic impacts advice in this NPS and the technology specific advice on impacts in the other energy NPSs provide additional information on climate change adaptation and should be read alongside this section (Section 5.3 on greenhouse gas emissions, Section 5.6 on coastal change and Section 5.8 on flood risk in particular provide relevant guidance for consideration).	<ul style="list-style-type: none"> <li>▪ Changes in air quality/composition;</li> <li>▪ Changes in flood risk; and</li> <li>▪ Changes in wind speed.</li> </ul> <p>Once construction is complete, the O&amp;M (operation and maintenance) strategy will be adjusted to fit any added contingency coming from climate change induced variability. This list is not exhaustive but illustrates how the Applicant is taking the necessary action to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>In summary the Project demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p>
	EN-1 4.10.5 – 4.10.7	In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change. In preparing measures to support climate change adaptation applicants should take reasonable steps to maximise the use of nature-based solutions alongside other conventional techniques. Integrated approaches, such as looking across the water cycle, considering coordinated management of water storage, supply, demand, wastewater, and flood risk can provide further benefits to address multiple infrastructure needs, as well as carbon sequestration benefits.  In addition to avoiding further GHG emissions when compared with more traditional adaptation approaches, nature-based solutions can also result in biodiversity benefits and net gain, as well as increasing absorption of carbon dioxide from the atmosphere.	<ul style="list-style-type: none"> <li>▪ employing a high quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses; and</li> <li>▪ incorporating measures which promote and enhance green infrastructure and explore opportunities for overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul>
	EN-1 4.10.8 – 4.10.9	New energy infrastructure will typically need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the direct (e.g., site flooding, limited water availability, storms, heatwave and wildfire threats to infrastructure and operations) and indirect (e.g., access roads or other critical dependencies impacted by flooding, storms, heatwaves, or wildfires) impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure.	As outlined in Chapter 31 Climate Change (APP-086), the Project will make a substantial contribution to the delivery of renewable energy and accelerate national efforts towards Net Zero GHG emissions.  The characterisation of the flood risk Baseline and future Baseline is established using the Environment Agency's Development Advice Map and data from recent hydraulic models, which take into account climate change effects.

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		<p>The ES should set out how the proposal will take account of the projected impacts of climate change, using government guidance and industry standard benchmarks such as the Climate Change Allowances for Flood Risk Assessments, Climate Impacts Tool, and British Standards for climate change adaptation, in accordance with the EIA Regulations.</p>	<p>The Flood Risk Assessment: Onshore ECC (APP-211) and the Flood Risk Assessment: OnSS (APP-212) also provide additional information on how the NPS requirements have been met, including accounting for climatic and seasonal changes.</p>
	<p>EN-1 4.10.10- 4.10.12</p>	<p>Applicants should assess the impacts on and from their proposed energy project across a range of climate change scenarios, in line with appropriate expert advice and guidance available at the time.</p> <p>Applicants should demonstrate that proposals have a high level of climate resilience built-in from the outset and should also demonstrate how proposals can be adapted over their predicted lifetimes to remain resilient to a credible maximum climate change scenario. These results should be considered alongside relevant research which is based on the climate change projections.</p> <p>Where energy infrastructure has safety critical elements, The Applicant should apply a credible maximum climate change scenario. It is appropriate to take a risk-averse approach with elements of infrastructure which are critical to the safety of its operation.</p>	<p>The MDS for the Project has been produced to anticipate any potential changes between application and detailed design based on conservative estimates of UK climate projections. These changes could be technological (with the introduction of new technology) or environmental (such as new climate change predictions). At the detailed design stage, the Applicant will have regard to the latest set of climate change projections. Examples include:</p> <ul style="list-style-type: none"> <li>▪ Changes in air quality/composition</li> <li>▪ Changes in flood risk</li> <li>▪ Changes in wind speed</li> </ul> <p>The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources;</li> <li>▪ incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity to improve the resilience of ecosystems within and beyond the site.</li> </ul> <p>The OnSS design includes a surface water drainage system to manage rainfall runoff from the proposed OnSS. The design of the drainage system incorporates an allowance for climate change to rainfall patterns over the lifespan of the development and will ensure that there is no change to the local hydrology or flood risk</p>
<p>Secretary of State decision making</p>	<p>EN-1 4.10.13 – 4.10.19</p>	<p>The SoS should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections and associated research and expert guidance (such as the EA's Climate Change Allowances for FRA or the Welsh Government's Climate change allowances and flood consequence assessments) available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure, including any decommissioning period.</p> <p>Should a new set of UK Climate Projections or associated research become available after the preparation of the ES, the Secretary of State (or the Examining Authority during the examination stage) should consider whether they need to request further information from the applicant.</p> <p>The SoS should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible scenarios – i.e. from the</p>	<p>Chapter 31 Climate Change (APP-086) of the ES concludes that the Project will not give rise to consequential impacts in relation to climate change, following the implementation of embedded and additional mitigation measures.</p> <p>The Project has demonstrated through the ES (APP-055) using the latest UK Climate projections. that it is resilient to climate change and has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. The development proposal demonstrates that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ul style="list-style-type: none"> <li>▪ employing a high-quality design;</li> <li>▪ the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>▪ the protection of the quality, quantity and availability of water resources.</li> <li>▪ The characterisation of the flood risk baseline and future baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments (SFRA) and data from hydraulic models, which take into account climate change effects. This</li> </ul>

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		<p>Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the Secretary of State should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS.</p> <p>Any adaptation measures should be based on the latest set of UK Climate Projections, the Government’s latest UK Climate Change Risk Assessment, when available and in consultation with the EA’s Climate Change Allowances for Flood Risk Assessments or the Welsh Government’s Climate change allowances and flood consequence assessments. The SoS may take into account reporting authorities reports to the SoS when considering adaptation measures proposed by an applicant for new energy infrastructure.</p> <p>Adaptation measures should be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the Project and/or surrounding environment (for example coastal processes), the SoS may consider requiring the applicant to keep the need for the adaption measure under review, and ensure that the measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls)</p>	<p>information is contained in ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) and is also contained within the Onshore Substation (OnSS) Flood Risk (FRA) (APP-212) and the onshore Export Cable Corridor (ECC) FRA (APP-211). Flood risk has been considered for the life of the development</p> <ul style="list-style-type: none"> <li>▪ Flood risk has also been considered in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</li> <li>▪ The Project is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: <ul style="list-style-type: none"> <li>▪ demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</li> <li>▪ identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</li> <li>▪ propose appropriate flood resistance and resilience measures (following the guidance outlined in the Strategic Flood Risk Assessment), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</li> <li>▪ include appropriate flood warning and evacuation procedures where necessary which have been undertaken in consultation with the authority’s emergency planning staff;</li> <li>▪ incorporates the use of Sustainable Drainage Systems (SuDS) (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</li> <li>▪ demonstrates that the Project will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</li> <li>▪ demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</li> <li>▪ ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.</li> </ul> </li> </ul>
<b>EN-1 Part 4.11 Network Connection</b>			
Network Connection	EN-1 4.11.1 – 4.11.4	<p>The connection of a proposed electricity generation plant to the electricity network is an important consideration for applicants wanting to construct or extend a generation plant.</p> <p>In the market system and in the past, it has been for the applicant to ensure that there will be necessary infrastructure and capacity within an existing or planned transmission or distribution network to accommodate the electricity generated.</p>	<p>The Project includes infrastructure required to connect the new power station to the National Grid. A description of the onshore and offshore transmission system and the associated infrastructure is set out within Chapter 3 Project Description (APP-058): The transmission system comprises the following key components:</p> <ul style="list-style-type: none"> <li>▪ Offshore substations (OSSs)</li> </ul>

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		<p>To support the achievement of the transition to net zero, government is accelerating the co-ordination of the development of the grid network to facilitate the UK's net zero energy generation development and transmission.</p> <p>Transmission network infrastructure and related network reinforcement associated with nationally significant new offshore wind is considered as CNP Infrastructure. Further guidance can be found in Section 4.2 of this NPS and EN-5</p>	<ul style="list-style-type: none"> <li>▪ Offshore reactive compensation platforms (ORCPs)</li> <li>▪ Array, interlink, and export cables</li> <li>▪ Project onshore substation (OnSS)</li> <li>▪ Necessary associated development required to transmit the power generated by the turbines to the connection with the National Grid transmission network (the grid connection location).</li> </ul>
	<p>EN-1  4.11.5 - 4.11.6</p>	<p>The applicant must liaise with National Grid who own and manage the transmission network in England and Wales or the relevant regional Distribution Network Operator (DNO) or TSO to secure a grid connection.</p> <p>Applicants may wish to take a commercial risk where they have not received or accepted a formal offer of a grid connection from the relevant network operator at the time of the application.</p> <p>In this situation applicants should provide information as part of their application confirming that there is no obvious reason why a network connection would not be possible.</p>	<p>Connection to the National Grid, will include 400kV underground circuit(s) running from the OnSS to a new National Grid Electricity Transmission (NGET) substation which is to be consented separately by NGET.</p> <p>Further commentary on the transmission system is provided within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Outline Cable Specification and Installation Plan (APP-278)</li> <li>▪ Design Principles Statement (APP-293)</li> <li>▪ Cable Statement (APP-299)</li> <li>▪ Outline Scour and Cable Protection Management Plan (APP-295)</li> <li>▪ ES Chapter 3 Appendix 1 Cable Burial Risk Assessment CONFIDENTIAL (APP-142)</li> </ul>
	<p>EN-1  4.11.7 – 4.11.10</p>	<p>The Planning Act 2008 aims to create a holistic planning regime so that the cumulative effect of different elements of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact. The government therefore envisages that wherever reasonably possible, applications for new generating stations and related infrastructure should be contained in a single application to the SoS or in separate applications submitted in tandem which have been prepared in an integrated way, as outlined in EN-5. This is particularly encouraged to ensure development of more co-ordinated transmission overall.</p> <p>On some occasions it may not be possible to coordinate applications. For example, different elements of a project may have different lead-in times and be undertaken by different legal entities subject to different commercial and regulatory frameworks (for example grid companies operate within OFGEM controls) making it inefficient from a delivery perspective to submit one application. Applicants may therefore decide to submit separate applications for each element. Where this is the case, the applicant should include information on the other elements and explain the reasons for the separate application confirming that there are no obvious reasons for why other elements are likely to be refused.</p> <p>If this option is pursued, the applicant accepts the implicit risks involved in doing so and must ensure they provide sufficient information to comply with the EIA Regulations including the indirect, secondary, and cumulative effects, which will encompass information on grid connections.</p> <p>It is recognised that this may be the situation for some new offshore transmission projects, where applications for consent may be brought forward separate to (though planned with) the applications for associated wind farms as outlined in EN-5.</p>	<p>The Project will include both offshore and onshore infrastructure including:</p> <ul style="list-style-type: none"> <li>▪ Offshore generating station (windfarm);</li> <li>▪ Offshore export cables to landfall;</li> <li>▪ Offshore Reactive Compensation Platforms (ORCP);</li> <li>▪ Onshore export cables from landfall to the OnSS;</li> <li>▪ OnSS and 400kV cables to the National Grid substation1 (NGSS); and,</li> <li>▪ Ancillary and/or Associated Development including areas for the delivery of up to two Artificial Nesting Structures (ANS) and the creation and recreation of a biogenic reef (if these compensation measures are deemed to be required by the Secretary of State) (see ES Chapter 3: Project Description (APP-058) for full details).</li> </ul> <p>The Explanatory Memorandum (APP-304), and Draft DCO (APP-303), confirm development consent is sought for these elements of the Project comprising the Generating Station (NSIP), Associated Development and Ancillary Development aspects of the Project.</p> <p>Information regarding the National Grid Substation and Connection Area can be found within Section 8.5.2 of Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The National Grid Substation was also included as a part of the Projects onshore cumulative assessment as shown in Annex 1 of appendix 5.3 (APP-148)</p>
<p>Secretary of State decision making</p>	<p>EN-1  4.11.12 – 4.11.13</p>	<p>The Secretary of State should be satisfied that appropriate network connection arrangements are/will be in place for a given project regardless of whether one or multiple (linked) applications are submitted.</p>	<p>The Applicant has secured a grid connection in agreement with National Grid. The Project's OnSS will be located at Surfleet Marsh , with a proposed 400kV cable running under the River Welland from Surfleet Marsh to National Grid's substation at Weston Marsh. .</p>

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		Where the Secretary of State has decided to grant consent for one project this should not in any way fetter the Secretary of State’s ability to take subsequent decisions on any related projects.	A detailed description of the onshore transmission system and the onshore associated electricity infrastructure including the OnSS is provided in the Outline Cable Specification and Installation Plan (APP-278) and within Chapter 3 Project Description (APP-058).

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EN-1 Part 4.12: Pollution control and other environmental regulatory regimes			
Pollution Control and Other Environmental Regulatory Regimes	EN-1 4.12.1 - 4.12.2	<p>Issues relating to discharges or emissions from a proposed project, and which lead to other direct or indirect impacts on terrestrial, freshwater, marine, onshore, and offshore environments, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes, for example local planning consent or marine licences (see paragraph 4.5.6 for more information).</p> <p>The planning and pollution control systems are separate but complementary. The planning system controls the development and use of land in the public interest. It plays a key role in protecting and improving the natural environment, public health and safety, and amenity, for example by attaching conditions to allow developments which would otherwise not be environmentally acceptable to proceed and preventing harmful development which cannot be made acceptable even through conditions. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the releases of substances to the environment from different sources to the lowest practicable level. It also ensures that ambient air, water, and land quality meet standards that guard against impacts to the environment or human health.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines how the areas most vulnerable and susceptible to pollution have been avoided where practically possible. With regards to the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures such as, but not limited to, the OLEMS (APP-284), and the OCoCP (APP-268), which will be implemented to ensure the relevant pollution control regime is properly applied and approved in advance of construction by the relevant regulator.</p> <p>Regarding offshore matters, the Government's Marine Plans have been considered in developing the Project. Marine Plans, and other relevant policy, are considered within Section 2 of each offshore topic chapter, with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Relevant policies from these marine plans are screened in. It is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Through scoping to application, Marine Plans, other relevant legislation, and feedback from relevant stakeholders, such as the MMO, has been fed into the Project to refine and avoid impacts upon other users and the marine environment, where possible.</p> <p>With regards to the marine environment and relevant pollution control mitigation measures, these will be managed through the production of a Marine Pollution Contingency Plan (MPCP) and an outline Project Environmental Management Plan (PEMP) (APP-277), to ensure that the potential for contaminant release is strictly controlled. The PEMP will include a MPCP and will also incorporate plans to cover accidental spills, potential contaminant release, and include key emergency contact details (e.g., Environment Agency, NE, Maritime Coastguard Agency and the Project site co-ordinator). The PEMP will be secured as a condition in the dML(s).</p> <p>As detailed within Other Consents and Licences (APP-305), the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator.</p>
	EN-1 4.12.3 – 4.12.4	<p>Pollution from industrial sources in England and Wales is controlled through the Environmental Permitting (England and Wales) Regulations 2016. The Environmental Permitting Regulations require industrial facilities to have an Environmental Permit and meet limits on allowable emissions to operate.</p> <p>Larger industrial facilities undertaking specific types of activity are also required to use Best Available Techniques (BAT) to reduce emissions to air, water, and land. Agreement on what sector specific BAT standards are, will now be determined through a new UK-specific BAT process.</p>	<p>As detailed within Other Consents and Licences (APP-305) where required, relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The document provides information on the other consents, licences or permits that are, or may be, required in connection with the construction, operation, maintenance or decommissioning of the offshore and onshore parts of the Project.</p> <p>The Project falls outside the current UK specific BAT process.</p>
Applicant assessment	EN-1 4.12.5	<p>Applicants should consult the MMO (or NRW in Wales) on energy NSIP projects which would affect, or would be likely to affect, any relevant marine areas as defined in the Planning Act 2008 (as amended by section 23 of the Marine and Coastal Access Act 2009). Applicants are encouraged to consider the relevant marine plans in advance of consulting the MMO for England or the relevant policy teams at the Welsh government.</p>	<p>The Government's Marine Plans have been considered within the establishment of the Baseline environment, as set out in Chapter 18 Marine Infrastructure and Other Users (APP-073) which provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning phase. The Government's Marine Plans are also considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter. The Planning Statement (APP-297) concludes there</p>

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			<p>is no conflict between the NPS and any marine planning document proposals. They meet the high-level marine objectives, plan vision, and all relevant policies.</p> <p>Through scoping to application, Marine Plans, other relevant legislation and feedback from relevant stakeholders such as the MMO has been fed into the proposals for the Project to refine and avoid impacts upon other users and the marine environment, where possible. The Applicant has engaged with the MMO through the Evidence Plan Process and the Expert Topic Group (ETG) meetings as part of the pre-application process during the preparation of the DCO application.</p> <p>. Further information can be found within the Consultation Report (APP-032).</p>
	EN-1 4.12.6	Many projects covered by this NPS will be subject to the EPR which also incorporates operational waste management requirements for certain activities. When an applicant applies for an Environmental Permit, the relevant regulator (usually the EA or NRW but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements.	As detailed within Other Consents and Licences (APP-305), where required the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 will be applied for post consent, with applications made to the relevant regulator. The requirement for an environmental permit in respect of certain flood risk activities (e.g. works within the vicinity of or crossing main rivers or flood defences) has been disapplied in the draft DCO and instead, approval of details will be sought from the Environment Agency in accordance with the protective provisions (unless a flood risk activity exemption applies).
	EN-1 4.12.7 – 4.12.8	Applicants should make early contact with relevant regulators, including EA or NRW and the MMO, to discuss their requirements for Environmental Permits and other such as marine licences. Wherever possible, applicants should submit applications for Environmental Permits and other necessary consents at the same time as applying to the Secretary of State for development consent.	Consultation is a key part of the DCO application process. Technical Consultation regarding this Project has been conducted through the publication of the Scoping Report (Outer Dowsing Offshore Wind, 2022), the publication of the PEIR, other Phase 2 consultation materials (Outer Dowsing Offshore Wind, 2023), and discussions with relevant stakeholders through both the EPP, and bilateral consultation as appropriate. Full details of the above consultations are provided in Chapter 6 Technical Consultation (APP-061).
Secretary of State decision making	EN-1 4.12.9 – 4.12.10	In considering an application for development consent the SoS should focus on whether the development itself an acceptable use of the land or sea is, and the impact of that use, rather than the control of processes, emissions or discharges themselves. The SoS should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. The SoS should act to complement but not seek to duplicate them.	<p>The Project has been subject to an iterative site selection and alternatives process Chapter 4 Site Selection and Consideration of Alternatives (APP-059) which demonstrated that the development is the most suitable alternative, and an acceptable use of the land at the proposed location. Specifically, with regards the potential impacts associated with the use of the land, Chapter 23 Geology and Ground Conditions (APP-078) considers the potential impacts and introduces relevant pollution control mitigation measures. These measures will be secured through the OLEMS (APP-284), the OCoCP (APP-268), and the Pollution Prevention and Emergency Incident Response Plan (PPEIERP) (APP-272) which will be implemented to ensure the relevant pollution control.</p> <p>Further information is also provided within Other Consents and Licences (APP-305) regarding the relevant permits under the Environmental Permitting (England and Wales) Regulations 2016 that will be applied for post consent, with applications made to the relevant regulator.</p> <p>The Outline Project Environmental Management Plan (APP-277) and Outline Code of Construction Practice (APP-268) and associated environmental management plans, provide the framework for the project controlling its emissions and discharges to the offshore and onshore environment by the project respectively. All onshore contractors and subcontractors will work in accordance with the Code of Construction Practice. All offshore contractors will work under a PEMP, produced in accordance with the outline PEMP. Emergency procedures will be developed under these documents for the onshore and offshore works and will include emergency pollution control measures based on Environment Agency, and other agencies guidelines and spill prevention, location of spill kits and control procedures.</p>
	EN-1	The SoS's consent may include a deemed marine licence and the MMO or NRW will advise on what conditions should apply to the dML.	The draft DCO incorporates dMLs that would otherwise be required under the Marine and Coastal Access Act (MCAA) 2009, and which identify conditions that may be applied to the Project.

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	4.12.11 – 4.12.13	The SoS and MMO or NRW should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation.  In considering the impacts of the Project, the SoS may wish to consult the regulator on any management plans that would be included in an Environmental Permit application.	The Order contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (dML 1) and one for the offshore transmission assets (dML 2). The Order also contains four deemed marine licences for the potential artificial nesting structures.  The Applicant has consulted extensively with the MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard to these are outlined in Consultation Report Appendix 5.1.4B Section 42 Responses (APP-038)
	EN-1  4.12.14 – 4.12.15	The SoS should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA or NRW and/or the pollution control authority, and other relevant bodies, such as the MMO, the SNCB, Drainage Boards, and water and sewerage undertakers, the SoS should be satisfied, before consenting any potentially polluting developments, that: <ul style="list-style-type: none"> <li>the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and</li> </ul> the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits.	The ES provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards potential pollution in the offshore and onshore environment.  The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.  This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project.  Regarding bullet 2 of Paragraph 4.12.15, the Project has proposed several pollution prevention measures which will ensure the Project does not exceed any statutory environmental limits, as listed below:
	EN-1  4.12.16	The SoS should not refuse consent on the basis of pollution impacts unless there is good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted. On this basis, it is reasonable for the SoS to consider residual amenity issues only when considering whether the development itself is an acceptable use of the land or sea, and on the impacts of that use.	<ul style="list-style-type: none"> <li>Outline Code of Construction Practice (APP-268) which incorporates measures to prevent pollution;</li> <li>Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) will be used to prepare a final management plan and held on all construction sites to follow in the event of an environmental emergency; and</li> <li>Outline Project Environmental Management Plan (APP-277) which will control the release of contaminations relating to offshore activities. The final PEMP will also include a Marine Pollution Contingency Plan (MPCP) and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site co-ordinator). The PEMP will be secured as a condition in the deemed Marine Licence.</li> </ul>
<b>EN-1 Part 4.13: Safety</b>			
Safety	EN-1 4.13.1 – 4.13.2	In addition to its role in the planning system, the HSE is the independent regulator for workplace health and safety and is responsible for enforcing a range of health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Some technologies, for example, major accident hazard pipelines, will be regulated by specific health and safety legislation. The application of these regulations is set out in the technology specific NPSs where relevant.	Best practice health and safety measures will be secured and adhered to, namely through the OCoCP (APP-268) which sets out health and safety principles, including: <ul style="list-style-type: none"> <li>The adoption of appropriate health industry standards;</li> <li>The appointment of a principal contractor who will develop a construction phase plan that safeguards the safety of workers in accordance with legal requirements; and</li> </ul> Appropriate Personal Protective Equipment (PPE) will be worn by construction workers including sub-contractors.
	EN-1 4.13.3 – 4.13.4	Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 2015. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e., from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE or ONR (Office for Nuclear Regulation, for nuclear)	The Applicant does not consider that the Project, either in the context of the offshore wind turbine generators (WTGs), transmission infrastructure or the OnSS to fall under the Control of Major Accident Hazards (COMAH) Regulations 2015. The Project is not anticipated to contain the dangerous substances listed in Schedule 1 of the COMAH Regulations 2015, at either the lower or upper tier, and as such the

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		and the EA acting jointly in England and by the HSE and NRW acting jointly in Wales, and the HSE and Scottish Environment Protection Agency (SEPA) acting jointly in Scotland. The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes.	Project does not fall under the COMAH Regulations 2015. As such, the Applicant is not seeking to develop infrastructure subject to the COMAH regulations and a safety report is not required.
Applicant Assessment	EN-1 4.13.5– 4.13.7	Applicants should consult with the HSE on matters relating to safety. Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents.	As noted in the response above, The Applicant does not consider that the Project, falls under the COMAH Regulations 2015  The Applicant has made use of appropriate guidance to better understand the likelihood and occurrence of an accident or disaster. The description and assessment consider the vulnerability of the Project to a potential accident or disaster and also the development's potential to cause an accident or disaster. The assessment specifically assesses significant effects resulting from the risks to human health, cultural heritage or the environment. Any measures that will be employed to prevent and control significant effects are presented in the ES.  The Applicant has engaged with the Health and Safety Executive (HSE) through the statutory consultation carried out under section 42 of the 2008 Act. The HSE's responses and how the Applicant has had regard to these is set out in the Consultation Report (APP- 032) and Appendix 4B to the Consultation Report (APP-038)
Secretary of State decision making	EN-1 4.13.8	The SoS should be satisfied that a safety assessment has been prepared, has raised no safety objections.	It was agreed at the Scoping stage that a separate chapter on Major Accidents and Disasters within the Environmental Statement (ES) was not required. The risk of 'major accidents and/or disasters' occurring associated with any aspect of the Project, during the construction, operation and decommissioning phases are anticipated to be negligible, following guidance published by IEMA on Major Accidents and Disasters in EIA (IEMA, 2020). Instead, an outline Code of Construction Practice and Outline Pollution Prevention and Emergency Incident Response Plan has been provided as part of the DCO application (APP-268 and APP-272). A Hazard Identification (HazID) Report will be prepared and agreed with the relevant planning authority prior to construction of DCO Work  Safety elements have been assessed throughout the ES for the Project. A safety statement will be produced post consent.
<b>EN-1 Part 4.14: Hazardous substances</b>			
Hazardous Substances	EN-1 4.14.1 – 4.14.4	All establishments wishing to hold stocks of certain hazardous substances above a threshold need 'Hazardous Substances Consent.' Where HSE does not advise against the SoS granting the consent, it will also recommend whether the consent should be granted subject to any requirements.	It is not the intention of The Applicant to apply for Hazardous Substance Consent.  Potential risks to human health which may arise during the construction, operation and decommissioning phases of the Project are considered and addressed as part of the assessment section in the relevant topic chapters in the ES. Specifically, impacts to health are assessed within Chapter 30 Human Health (APP-085).  The OnSS would contain potential pollutants which could include cooling oils, lubricants, fuels, greases, etc. The design, maintenance and operation of the facility would follow good practice in line with the prevailing future guidance and legislation with regard to measures such as the storage and management of potentially polluting substances, emergency spill response procedures, clean up and control of any potentially contaminated surface water runoff and routine inspection to prevent or contain leaks of any pollutants.  Further to this the ES (APP-055) provides a full and detailed account of potential environmental impacts associated with the Project, specifically with regards to potential pollution in the offshore and onshore

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			<p>environment. The relevant ES chapters conclude that no likely significant effect would occur either from the Project alone, or cumulatively with other plans and projects, from any sources of pollution.</p> <p>This conclusion is drawn through reference to established mitigation measures which the Applicant has proposed to implement as part of the Project. It should also be noted that the DCO will contain a condition in the dMLs that will require a MPCP to be submitted for approval post consent which will also provide mitigation relating to the control of hazardous substances. An outline Project Environmental Management Plan (APP-277) has been provided which will control the release of contaminations relating to offshore activities. The final PEMP will also include the MPCP and will also incorporate plans to cover accidental spills, potential contaminant release and include key emergency contact details (e.g., Maritime Coastguard Agency and the project site coordinator).</p>
Applicant Assessment	EN-1 4.14.5 - 4.14.6	<p>Applicants must consult the (HSA) and HSE at pre-application stage if the Project is likely to need hazardous substances consent. Hazardous substances consents are a part of the planning regime which contributes to public safety.</p> <p>HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The Applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site. Where a hazardous substance consent has been deemed to be granted, the developer is required to send the relevant HSA any information required by them for the purposes of a register.</p>	It is not the intention of The Applicant to apply for Hazardous Substance Consent.
Secretary of State decision making	EN-1 4.14.7	Where hazardous substances consent is applied for, the Secretary of State will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The Secretary of State should consult HSE about this.	
<b>EN-1 Part 4.15: Common Law Nuisance and Statutory Nuisance</b>			
Common Law Nuisance and Statutory Nuisance	EN-1 4.15.1 - 4.15.4	<p>Section 158 of the Planning Act 2008 confers statutory authority for carrying out development consented to by, or doing anything else authorised by, a DCO.</p> <p>Such authority is conferred only for the purpose of providing a defence in any civil or criminal proceedings for nuisance. This would include a defence for proceedings for nuisance under Part III of the Environmental Protection Act 1990 (EPA) (statutory nuisance) but only to the extent that the nuisance is the inevitable consequence of what has been authorised.</p> <p>The defence does not extinguish the local authority's duties under Part III of the EPA 1990 to inspect its area and take reasonable steps to investigate complaints of statutory nuisance and to serve an abatement notice where satisfied of its existence, likely occurrence or recurrence.</p> <p>The defence is not intended to extend to proceedings where the matter is "prejudicial to health" and not a nuisance.</p>	Whilst paragraph 4.15.1-4.15.4 does not set out specific requirements, Chapter 26 Noise and Vibration (APP-081) outlines that the relevant statutory and non-statutory authorities and stakeholders with respect to noise have been consulted and consequent feedback has influenced the design of the Project and the proposed mitigation, including the Outline Noise and Vibration Management Plan (APP-269) which will be secured as a result of the Project.
Applicant Assessment	EN-1 4.15.5	At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on Dust, odour, artificial light etc. and Section 5.12 on Noise and vibration)	The Applicant has provided a Statutory Nuisance Statement (APP-301) in accordance with Regulation 5(2)(f) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 which requires the applicant for a DCO to provide a statement as to whether the application engages

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Secretary of State decision making	EN-1 4.15.6- 4.15.7	<p>At the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the EPA 1990 and how they may be mitigated or limited should be considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent (see Section 5.7 on dust, odour, artificial light etc. and Section 5.12 on noise and vibration).</p> <p>The SoS should note that the defence of statutory authority is subject to any contrary provision made by the SoS in any particular case in a DCO (section 158(3) of the Planning Act 2008). Therefore, subject to Section 5.7 and Section 5.12, the SoS can disapply the defence of statutory authority, in whole or in part, in any particular case, but in so doing should have regard to whether any particular nuisance is an inevitable consequence of the development.</p>	<p>Section 79(1) (Statutory nuisances and inspections therefor) of the Environmental Protection Act 1990 (the 1990 Act) and, if it does, how the applicant intends to mitigate or limit such nuisances.</p> <p>The Statutory Nuisance Statement draws upon the ES (APP-055) to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297). The ES, which has been prepared by the Applicant as part of the process of environmental impact assessment for the application, has analysed the potential significant effects of a number of elements specified in Section 79(1) of the 1990 Act.</p> <p>The Project has identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas which could suffer from nuisance are located away from the Project's infrastructure elements as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Throughout the ES, the Project proposes several mitigation measures to limit nuisance, including as outlined in the Outline Code of Construction Practice (OCoCP) (APP-268) which sets out best practice measures and standard protocol which will be incorporated into the final CoCP</p> <p>The Statutory Nuisance Statement demonstrates that, with the implementation of these mitigation measures where appropriate (which will be secured by requirements attached to the DCO), claims for statutory nuisance are unlikely to arise from the Project.</p> <p>Whilst it is not expected that the construction, operation, maintenance or decommissioning of the Project would engage Section 79(1) by causing statutory nuisances, the draft DCO (APP-303) that accompanies the application contains a provision at Article 8 (Defence to proceedings in respect of statutory nuisance) to provide a defence to proceedings for statutory nuisance, should they be initiated against the Applicant (or its successors) as undertakers of the Project.</p>
<b>EN-1 Part 4.16: Security Considerations</b>			
Security Considerations	EN-1 4.16.1 - 4.16.5	<p>National security considerations apply across all national infrastructure sectors. DESNZ works closely with government security agencies including the National Protective Security Authority (NPSA) and the National Cyber Security Centre (NCSC) to provide advice to the most critical infrastructure assets on terrorism and other national security threats, as well as on risk mitigation.</p> <p>In the UK's civil nuclear industry, security is also independently regulated by the ONR.</p> <p>Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Where applications for development consent for infrastructure covered by this NPS relate to potentially 'critical' infrastructure, there may be national security considerations.</p> <p>DESNZ will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified.</p>	<p>The Applicant has consulted to ensure that security measures have been considered and included where necessary to manage security risks. No security risks have been identified.</p> <p>DESNZ have already been notified during the pre-application stage about the proposals in line with Paragraph 4.16.5 of EN-1.</p>
Applicant Assessment	EN-1 4.16.6 – 4.16.7	<p>Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, ONR (for civil nuclear) and/or DESNZ to ensure</p>	<p>The Applicant has consulted with DESNZ to ensure security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. No security risks have been identified by CPNI, ONR (for civil nuclear) and/or DESNZ.</p>

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		security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. The applicant should only include sufficient information in the application as is necessary to enable the Secretary of State to examine the development consent issues and make a properly informed decision on the application.	ES Chapter 16: Aviation, Radar, Military and Communication (APP-071) confirms that the Applicant has been and will continue to engage with the MOD during the application process. The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar (PSR) systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
Security considerations	EN-1 4.16.8 – 4.16.10	If NPSA, ONR (for civil nuclear) and/or DESNZ are satisfied that security issues have been adequately addressed in the project when the application is submitted to the SoS, it will provide confirmation of this to the SoS. The Secretary of State should not need to give any further consideration to the details of the security measures in its examination. In exceptional cases, where examination of an application would involve public disclosure of information about defence or national security which would not be in the national interest, the examination of that evidence may take place in a closed session as set out under Examination Procedure Rules. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and the Government’s Environmental Improvement Plan 2023.	The Applicant does not consider there to be any security implications arising from the Project and (subject to relevant consultation responses) does not, therefore, expect the SoS to have to give further consideration to the details of the security measures in its examination.
<b>EN-1 Part 5: Generic Impacts</b>			
<b>EN-1 Part 5.2: Air Quality and Emissions</b>			
Air Quality and Emissions	EN-1 5.2.1 - 5.2.2	Energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) and up to a diameter of 2.5 microns (PM2.5) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx).  Legal limits for pollutants in ambient air are set out in the Air Quality Standards Regulations 2010 and for England, national objectives set out in the Air Quality (England) Regulations 2000 reiterated in the Air Quality Strategy, or for Wales, the Air Quality (Wales) Regulations 2000 and the Clean Air Plan for Wales. In addition, two fine particulate matter (PM2.5) targets were set under the Environment Act 2021 for England – an annual mean concentration target and a population exposure target. Internationally agreed emissions commitments are set in the National Emission Ceilings Regulations 2018 and establish limits for total UK emissions of key pollutants.	Chapter 19 Onshore Air Quality (APP-074) sets out several proposed measures to ensure that the Project does not have significant effects on air quality. These include: <ul style="list-style-type: none"> <li>Carrying out construction works in accordance with best practice measures; and</li> <li>The preparation of the OCoCP (APP-268) that outlines management measures, commitments and working standards proposed to be adopted and implemented throughout the construction process. The document also includes a series of controls that are detailed with the Outline Air Quality Management Plan (OAQMP) (APP-270).</li> </ul> The assessment within Chapter 19 Onshore Air Quality (APP-074) also considers relevant legislation including the Air Quality Standards Regulations 2010 which support the conclusion that the Project will not result in any significant adverse effects given the thresholds/legal limits are not exceed as a result of the proposals.
	EN-1 5.2.3 - 5.2.4	For many air pollutants there is not a threshold below which there is no health impact so it is important that energy infrastructure schemes consider not just how a scheme may impact statutory air quality limits, objectives or targets but also measures to mitigate all emissions in order to minimise human exposure to air pollution, especially for those who are more susceptible to the impacts of poor air quality.	Chapter 30 Human Health (APP-085) concludes that, no significant impacts are predicted and the change in air quality is below all statutory thresholds for health protection (during the construction phase). The Project has committed to embedded mitigation as set out in Table 30.6 in APP-085 including the development of and adherence to a CoCP during construction to mitigate all emissions and minimise human exposure to air pollution including potentially vulnerable groups as assessed in section 30.5. Potential effects in relation to Eutrophication are considered in Chapter 19 Onshore Air Quality (APP-074).

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		<p>In addition, a particular effect of air emissions from some energy infrastructure may be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of NOx and ammonia. The main emissions from energy infrastructure are from generating stations. Eutrophication can affect plant growth and functioning, altering the competitive balance of species and thereby damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal blooms, which remove oxygen from the water, adversely affecting plants and fish. The effects on ecosystems can be short term or irreversible and can have a large impact on ecosystem services such as pollination, aesthetic services and water supply.</p>	<p>Chapter 19 Onshore Air Quality (APP-074) considers air quality impacts during construction to sensitive ecological receptors as a result of dust and concludes that impacts on ecological designations are insignificant.</p>
Applicant Assessment	EN-1 5.2.8 – 5.2.11	<p>Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES. The ES should describe:</p> <ul style="list-style-type: none"> <li>▪ existing air quality concentrations and the relative change in air quality from existing levels;</li> <li>▪ any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; and</li> <li>▪ the predicted absolute emissions, concentration change and absolute concentrations as a result of the proposed project, after mitigation methods have been applied; and any potential eutrophication impacts.</li> </ul> <p>In addition, applicants should consider the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance.</p> <p>Defra publishes future national projections of air quality based on estimates of future levels of emissions, traffic, and vehicle fleet. Projections are updated as the evidence base changes and The Applicant should ensure these are current at the point of an application. The Applicant's assessment should be consistent with this but may include more detailed modelling to demonstrate local and national impacts. If an applicant believes they have robust additional supporting evidence, to the extent they could affect the conclusions of the assessment, they should include this in their representations to the ExA along with the source.</p>	<p>The assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074) with further detailed information provided in the following documents:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 19 Appendix 1 Construction Dust Assessment Methodology (APP-176)</li> <li>▪ ES Chapter 19 Appendix 2 Non-Road Mobile Machinery Emissions Assessment (APP-177)</li> <li>▪ ES Chapter 19 Appendix 3 Offshore Activities Assessment (APP-178)</li> <li>▪ ES Chapter 19 Appendix 4 Road Traffic Dispersion Modelling (APP-179)</li> </ul> <p>Section 19.4 of the ES Chapter describes the baseline environment including the existing conditions and the future baseline used in the assessment of impacts. Section 19.8 provides an assessment of any significant air emissions, their quality effects, mitigation action taken and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project.</p> <p>The Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance are considered in Section 19.4 to 19.9 of the Onshore Air Quality Chapter (APP-074).</p> <p>During the construction phase, the assessment focussed on potential impacts from dust, Non-Road Mobile Machinery (NRMM), and offshore vessel emissions. Results indicate negligible to minor adverse effects, all considered to be non-significant in accordance with the EIA regulations. Specific mitigation measures were outlined for dust and NRMM, contributing to the overall not significant conclusion. Temporary increases in traffic, a consequence of construction activities, were also evaluated, with the study determining these effects on human and ecological receptors to be temporary and non-significant. Traffic associated with both future planned developments and live projects and plans were considered in the assessment, which resulted in cumulative impacts being assessed.</p> <p>In relation to the operations and maintenance phase, a screening of road traffic impacts concluded that anticipated changes to the volume of traffic is below the relevant screening criteria, rendering further assessment unnecessary, as acknowledged through the received Scoping opinion. This phase was thus considered to have negligible and non-significant effects on onshore air quality.</p> <p>For decommissioning activities, these are not anticipated to exceed the MDS criteria established for the construction phase. Given that the effects associated with the construction phase are considered not significant, no additional assessment of the decommissioning phase is necessary, however a decommissioning plan will be developed in due course.</p>

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			<p>There are a number of commitments made by the Project to minimise and reduce the impacts to air quality including adhering to best practice construction measures in relation to dust and NRMM, and development and adherence to the Code of Construction Practice (CoCP), Construction Traffic Management Plan (CTMP), Travel Plan and Outline Public Access Management Plan (PAMP).</p> <p>Consideration to the Environment Targets (Fine Particulate Matter) (England) Regulations 2022 and associated Defra guidance is given within the ES Chapter.</p>
	EN-1 5.2.12	Where a proposed development is likely to lead to a breach of any relevant statutory air quality limits, objectives or targets or affect the ability of a noncompliant area to achieve compliance within the timescales set out in the most recent relevant air quality plan/ strategy at the time of the decision, The Applicant should work with the relevant authorities to secure appropriate mitigation measures to ensure that those statutory limits, objectives or targets are not breached.	<p>Chapter 19 Onshore Air Quality (APP-074) assesses the risk and significance of potentially significant emissions to air, with and without appropriate mitigation and outlines that relevant air quality limits/regulations will not be breached as a result of the Project.</p> <p>As such it is considered that the ES for the Project is in accordance with paragraph 5.2.7 of EN-1.</p>
	EN-1 5.2.13	The SoS should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. In doing so the Secretary of State should have regard to the Air Quality Strategy in England or the Clean Air Plan in Wales or any successors to these and should consider relevant advice within Local Air Quality Management guidance and PM2.5 targets guidance.	<p>This assessment of any significant air emissions is set out in Chapter 19 Onshore Air Quality (APP-074). This is as consequence of the embedded mitigation measures set out in the chapter ,namely:</p> <ul style="list-style-type: none"> <li>▪ The OAQMP (APP-270) which includes measures relating to dust control and NRMM emissions. The construction dust assessment methodology identifies mitigation measures recommended for inclusion; and</li> <li>▪ The OCoCP (APP-268). In addition, the Outline Soil Management Plan (APP-271), which forms part of the OCoCP, and sets out the principles and procedures for general good practice mitigation for soil management.</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO and include several measures that will control air quality. This includes ensuring all construction work is undertaken in accordance with best practice measures.</p> <p>The assessment in Chapter 19 Onshore Air Quality (APP-074) has been undertaken with reference to the Air Quality Strategy in England and Defra’s LAQM guidance.TG22 (Defra, 2022) and PM2.5 targets guidance.</p>
	EN-1 5.2.14	The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	<p>The mitigation measures outlined within Section 5.14 have been included within Chapter 19 Onshore Air Quality (APP-074), ES Chapter 27: Traffic and Transport (APP-082), and the review of Section 5.14 in this policy accordance table for further information.</p> <p>ES Chapter 27 sets out a number of mitigation measures that will be beneficial in reducing air emissions from transport. These measures include :</p> <ul style="list-style-type: none"> <li>▪ An Outline CTMP that sets out the key principles and types of measures to be implemented during construction</li> <li>▪ An Outline TP which includes a range of demand management measures including a target car share ratio; and</li> </ul> <p>These documents will be secured by requirements proposed in the draft DCO.</p>
Secretary of State decision making	EN-1 5.2.15 – 5.2.16	Many activities involving air emissions are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. The SoS must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to policies set out in the Government’s Environmental Improvement Plan 2023.	<p>With regard to pollution control, please see responses to NPS EN-1- 4.12</p> <p>Chapter 19 Onshore Air Quality (APP-074) outlines that with the implementation of proposed mitigation, which include the OAQMP (APP-270) and the OCoCP (APP-268), the Project will not result in the breach of any national or statutory air quality limits or objectives. The assessment set out in Chapter 19 concludes that there will be no substantial changes in air quality levels</p>

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		The SoS should give air quality considerations substantial weight where a project would lead to a deterioration in air quality. This could for example include where an area breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of statutory limits, objectives, or targets.	To limit harm to sensitive receptors, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) was subject to an iterative site selection and design process, meaning areas that were constrained and sensitive were avoided where possible, and where not practically possible, mitigation was proposed which has ensured there will be no unacceptable residual significant adverse effects. It should be noted that all sensitive receptors have been considered and no significant impacts have been identified.
	EN-1 5.2.17 – 5.2.18	The SoS should give air quality considerations substantial weight where a project is proposed near a sensitive receptor site, such as an education or healthcare facility, residential use or a sensitive or protected habitat. Where a project is proposed near to a sensitive receptor site for air quality, if the applicant cannot provide justification for this location, and a suitable mitigation plan, the SoS should refuse consent.	
	EN-1 5.2.19	In all cases, the SoS must take account of any relevant statutory air quality limits objectives and targets. If a project will lead to non-compliance with a statutory limit, objective or target the SoS should refuse consent.	
<b>EN-1 Part 5.3 – Greenhouse Gas Emissions</b>			
Greenhouse Gas Emissions	EN-1 5.3.1 – 5.3.3	Significant levels of energy infrastructure development are vital to ensure the decarbonisation of the UK economy. The construction, operation and decommissioning of that energy infrastructure will in itself, lead to GHG emissions.  In considering this section, applicants should also have regard to Part 2 of this NPS, which explains the current policy on climate change and how this NPS interacts with that policy, and Section 4.10 of this NPS, which deals with climate change adaptation.  As discussed in Part 2, energy infrastructure plays a vital role in decarbonisation. While all steps should be taken to reduce and mitigate climate change impacts, it is accepted that there will be residual emissions from energy infrastructure, particularly during the economy wide transition to net zero, and potentially beyond.	The Project would provide up to 100 wind turbines, supporting the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy and therefore will play a vital role in national decarbonisation.  Climate change policy and projections have been considered across each ES chapter and a GHG assessment was undertaken as part of the Chapter 31 Climate Change (APP-086) . ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed. Most importantly, the assessment demonstrated that there will be no significant impacts across all the stages of the Project.
Applicant Assessment	EN-1 5.3.4	All proposals for energy infrastructure projects should include a GHG assessment as part of their ES (See Section 4.2). This should include: <ul style="list-style-type: none"> <li>▪ A whole life GHG assessment showing construction, operational and decommissioning GHG impacts including impacts from change of land use;</li> <li>▪ An explanation of the steps that have been taken to drive down the climate change impacts at each of those stages;</li> <li>▪ Measurement of embodied GHG impact from the construction stage;</li> <li>▪ How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures;</li> <li>▪ How operational emissions have been reduced as much as possible through the application of best available techniques for that type of technology.;</li> <li>▪ Calculation of operational energy consumption and associated carbon emissions.;</li> </ul> Whether and how any residual GHG emissions will be (voluntarily) offset or removed using a recognised framework. Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate	A GHG assessment was undertaken as part of the assessment outlined in Chapter 31 Climate Change (APP-086) and addresses all the provisions set out in EN-1 Paragraph 5.3.4.  The climate change assessment for the Project involved a thorough analysis of its environmental impact throughout the entire life cycle. This included evaluating the carbon footprint associated with everything from manufacturing the raw materials for construction to the eventual recycling or disposal at the end of its 35-year lifespan, alongside the benefit produced from the renewable electricity generated.  The estimated greenhouse gas emissions for the operation phase are 5.3 million metric tons of CO2 equivalent. This calculation considered a combination of jacket/pile and Gravity-Based Structure (GBS) foundations. The Project aims to generate 7,227GWh (gigawatt-hours) of electricity annually, resulting in a relatively low carbon intensity of about 20.8 grams of CO2 equivalent per kilowatt-hour (kWh).  Comparing this to alternative electricity generation methods like gas Combined Cycle Gas Turbine (CCGT) (with carbon intensity of 371g CO2eq/kWh), the Project is expected to offset its construction-related emission in approximately two years. This highlights the Project’s environmental benefits, showing that it efficiently manages and minimises its carbon impact.

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		change, both alone and where relevant in combination with other developments at a regional or national level, or sector level, if sectoral targets are developed	
Mitigation	EN-1 5.3.5 – 3.5.6	A GHG assessment should be used to drive down GHG emissions at every stage of the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, as we transition to net zero. Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	<p>A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.</p> <p>The Project also meets the need in the UK for the types of energy infrastructure covered by EN-1 and contributes significantly towards the UK’s current cumulative electricity supply deployment target for 2030, supporting the UK in delivery secure, reliable and affordable energy as part of net zero commitments.</p> <p>The Project would provide up to 100 wind turbines, create job opportunities, support the UK Government’s ambitions for up to 50GW of electricity generated from offshore wind by 2030 and help meet the objectives of the British Energy Security Strategy.</p> <p>The project will, wherever it is realistically able to, use recycled materials for the project. Upon decommissioning the project will minimise the amount of materials sent to landfill and will recycle wherever possible materials which are no longer needed.</p>
	EN-1 5.3.7	Steps taken to minimise and offset emissions should be set out in a GHG Reduction Strategy, secured under the Development Consent Order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, peatland restoration and through other natural habitats.	<p>Approaches to reduce GHG reduction are set out in both Chapter 19 Onshore Air Quality Onshore Air Quality (APP-074) and Chapter 31 Climate Change Climate Change (APP-086) which sets out the approach to minimise GHG through proposed mitigation.</p> <p>This is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) which outlines potential areas which could serve as a carbon sink.</p>
Secretary of State decision making	EN-1 5.3.8 – 5.3.9	The SoS must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stages of the development. The SoS should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development.	A GHG assessment undertaken within the Climate Change Assessment is included within Chapter 31 Climate Change (APP-086) and shows that emissions resulting from the Project have been minimised as far as practically possible.
	EN-1 5.3.10	The SoS should give appropriate weight to projects that embed nature based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning of energy infrastructure.	
	EN-1 5.3.11 – 5.3.12	Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation, such as the UK ETS (see Sections 2.4), Government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2, including the UK ETS, can be applied to these emissions. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate	
			Refer to the Applicant’s response for Paragraph 5.3.4

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		commitments. The Secretary of State does not, therefore need to assess individual applications for planning consent against operational carbon emissions and their contribution to carbon budgets, net zero and our international climate commitments.	
<b>EN-1 Part 5.4: Biodiversity and Geological Conservation</b>			
Biodiversity and Geological Conservation	EN-1 5.4.1 – 5.4.3	<p>Biodiversity is the variety of life in all its forms and encompasses all species of plants, animals and fungi, the genetic diversity they contain and the complex ecosystems of which they are a part. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance.</p> <p>In the 25 Year Environment Plan, the government set out its vision for a quarter-of-a-century action to help the natural world regain and retain good health. A commitment to review the plan every 5 years was set into law in the Environment Act 2021. The Environmental Improvement Plan was published in 2023, which reinforces the intent of the 25 Year Environment Plan and sets out a plan to deliver on its framework and vision. The government’s policy for biodiversity in England is set out in the Environmental Improvement Plan 2023, the National Pollinator Strategy and the UK Marine Strategy. The aim is to halt overall biodiversity loss in England by 2030 and then reverse loss by 2042, support healthy well-functioning ecosystems and establish coherent ecological networks, with more and better places for nature for the benefit of wildlife and people. This aim needs to be viewed in the context of the challenge presented by climate change. Healthy, naturally functioning ecosystems and coherent ecological networks will be more resilient and adaptable to climate change effects. Failure to address this challenge will result in significant adverse impact on biodiversity and the ecosystem services it provides.</p> <p>The wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues are set out in a Government Circular. The NPPF and Natural Environment PPG document sets out good practice in England in relation to planning for biodiversity and geological conservation. In Wales, TAN 5: Nature Conservation and Planning sets out how the land use planning system should contribute to biodiversity and geological conservation</p>	<p>The Project has adopted a positive approach to biodiversity through avoiding the most sensitive ecological areas (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and all relevant policy outlined within Paragraph 5.4.1-5.4.3 has been considered in Chapter 21 Onshore Ecology (APP-076).</p> <p>The Applicant has also committed to several mitigation/compensatory measures that will enhance biodiversity.</p>
Habitats Regulations	EN-1 5.4.4 – 5.4.6	<p>The highest level of biodiversity protection is afforded to sites identified through international conventions. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas.</p> <p>As a matter of policy, the following should be given the same protection as sites covered by the Habitats Regulations and an HRA will also be required:</p> <ul style="list-style-type: none"> <li>▪ potential Special Protection Areas and possible Special Areas of Conservation;</li> <li>▪ listed or proposed Ramsar sites; and</li> <li>▪ sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.</li> </ul> <p>The British Energy Security Strategy committed to establishing Strategic Compensation for offshore renewables NSIPs, to offset environmental effects but also to reduce delays for individual projects. See paragraphs 2.8.266 – 2.8.273 of EN-3 for further information.</p>	<p>As demonstrated throughout the ES Non-Technical Summary (APP-055) and RIAA (APP-235), the Applicant has shown how any likely significant negative effects to sites identified through international conventions would be avoided, reduced, mitigated, or compensated for, following the mitigation hierarchy.</p> <p>Designated sites and features have been screened, in consultation with Natural England, and considered within the RIAA (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case (APP-242) for both ornithology and benthic features. Further information on the assessment of AEoI can be found in the [RIAA]. As set out in Section 1.2 of the derogation case and as set out in [table 13.1 of the RIAA], the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p>

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Sites of Special Scientific Interest (SSSIs)	EN-1 5.4.7 – 5.4.8	<p>Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs.</p> <p>Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.</p>	<p>The Project site selection process has avoided direct interaction with all relevant SSSIs (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes 15 SSSIs (excluding geological designations). The onshore Order Limits have been designed to avoid designated sites where practicable. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on SSSIs.</p>
Marine Conservation Zones (MCZ)	EN-1 5.4.9	<p>MCZs (Marine Protected Areas in Scotland), introduced under the Marine and Coastal Access Act 2009, are areas that have been designated for the purpose of conserving marine flora or fauna, marine habitats or types of marine habitat or features of geological or geomorphological interest. The protected feature or features and the conservation objectives for the MCZ are stated in the designation order for the MCZ. If a proposal is likely to have significant impacts on an MCZ, an MCZ Assessment should be undertaken as per the requirements under section 126 of the Marine and Coastal Access Act, 2009. Government has recently designated the first three Highly Protected Marine Areas in England. These are designated as MCZs but with a higher conservation objective and with a single feature of the whole ecosystem within the site boundaries.</p>	<p>A Marine Conservation Zone Assessment (APP-157) has been undertaken by the Applicant and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Marine Protected Areas (MPA)	EN-1 5.4.10 – 5.4.11	<p>MPA is a term used to describe the network of habitat sites, SSSIs, MCZs, and Highly Protected Marine Areas (HPMAs) in the English and Welsh marine environment.</p> <p>It is important that relevant guidance on managing environmental impacts of infrastructure in marine protected areas is followed, and that equal consideration of the effect of proposals should be given to all MPAs regardless of the legislation they were designated under. This is because all sites contribute to the network of MPAs and therefore to overall network integrity. In England, government have established a MPA condition target under the Environment Act.</p>	<p>Impacts on MPA have been considered within the following chapters of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 7 Marine Physical Processes (APP-062)</li> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064)</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ Chapter 11 Marine Mammals (APP-066)</li> <li>▪ 7.1 Report to Inform Appropriate Assessment (RIAA) (APP-235)</li> <li>▪ 7.2 Habitats Regulations Assessment Screening Report (APP-239)</li> <li>▪ 7.3 Report to Inform Appropriate Assessment Appendix 1: Screening Matrices (APP-240)</li> </ul> <p>See comments against EN-1 paragraph 4.2.13.</p>
Regional and Local Sites	EN-1 5.4.12 – 5.4.13	<p>Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution.</p> <p>National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks.</p>	<p>The Project mapped and considered all sites of local biodiversity and geological interest as part of their constraints mapping exercises outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), ES Chapter 21 (APP-076) and Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The assessment has considered indirect impacts on locally and regionally important sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.</p> <p>The OLEMS (APP-284) sets out a number of high quality design measures that will, in addition to providing mitigation, also deliver biodiversity enhancements. Responses to Section 4.6.15 – 4.6.18 of EN-1 outlines further detail on the Applicant's compliance regarding enhancement.</p>

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Ancient woodland, ancient trees, veteran trees and other irreplaceable habitats	EN-1 5.4.14 – 5.4.15	<p>Irreplaceable habitats are habitats which would be technically very difficult (or take a very significant time) to restore, recreate or replace once destroyed, taking into account their age, uniqueness, species diversity or rarity.</p> <p>Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Keepers of Time, the Government's policy for ancient and native trees and woodlands in England sets out the Government's commitment to maintain and enhance the existing area of ancient woodland, maintain and enhance the existing resource of known ancient and veteran trees, excluding natural losses from disease and death, and to increase the percentage of ancient woodland in active management. Ancient and veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, coastal sand dunes, spartina salt marsh swards, mediterranean saltmarsh, scrub, and lowland fen.</p>	<p>Several methods within the Project have been adopted to avoid the loss of irreplaceable habitats. This includes the first phase approach of avoidance through siting of the Project infrastructure outside of these habitats and, as stated in Table 1.15 of Chapter 21 Onshore Ecology (APP-076), the adoption of trenchless techniques to avoid permanent loss of habitats, including irreplaceable and Priority habitats that could not be avoided by the siting of the Project. With mitigation in place the project will result in no significant effects relating to Priority Habitats (that include irreplaceable habitats) as concluded in APP-076.</p> <p>Ancient woodlands have been scoped out of the assessment as there are no designations of this type within the Order Limits or within the study area as set out in ES Chapter 21 Onshore Ecology (reference), which is set as 2km from the Order Limits. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No ancient or veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible (for example features (e.g. trees) bordering a compound that can be retained). Although not progressed within the impact assessment, precautionary mitigation measures for all mature trees, including any with potential veteran tree features are proposed including avoidance measures and pre-construction surveys for any trees that must be removed (OLEMS, APP-284). Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.</p>
Protection and enhancement of habitats and species	EN-1 5.4.16	<p>Many individual species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action.</p>	<p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p>
Applicant Assessment	EN-1 5.4.17 – 5.4.18	<p>Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats.</p>	<p>The effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Effects on these internationally, nationally, and locally designated sites of ecological or geological conservation importance have been assessed (where relevant), with reference to protected species identified as being important for the conservation of biodiversity both onshore and offshore. Chapters of relevance are presented in Volume 1 of the ES (DCO Application Part 6.1):</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the SoS consider thoroughly the potential effects of a proposed project.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067))</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>Other application documents of relevance outside of the ES include the:</p> <ul style="list-style-type: none"> <li>▪ Report to Inform Appropriate Assessment (APP-235)</li> <li>▪ Biodiversity Net Gain Report Principles and Approach (APP-302).</li> <li>▪ Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</li> </ul> <p>The outline Code of Construction Practice (APP-268) includes a number of measures to minimise the impact to ecology during construction.</p> <p>As noted in ES Chapter 5: EIA Methodology (APP-060), A Proportionate Approach has been adopted for the Project.</p>
	<p>EN-1 5.4.19 – 5.4.21</p>	<p>The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. Applicants should consider wider ecosystem services and benefits of natural capital when designing enhancement measures. As set out in Section 4.7, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond BNG, which result in wider environmental gains (see Section 4.6 on Environmental and BNG). The scope of potential gains will be dependent on the type, scale, and location of each project.</p>	<p>Areas of biodiversity and geological interest have been avoided in the siting and design of the Project.. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and those specific to biological conservation interests are detailed within ES Chapter 21 Onshore Ecology (APP-076) while the effects of onshore infrastructure associated with the Project on designated sites of geological conservation importance and siting / project refinements undertaken are considered in Chapter 23 Geology and Ground Conditions (APP-078).</p> <p>Proposals to provide enhancement have been discussed with the Environment Agency, NE and Local Wildlife Organisations via the Project’s Evidence Plan process (EPP) and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within the OLEMS (APP-284).</p> <p>Proposals for biodiversity enhancement are presented within ES Chapter 21 Onshore Ecology (APP-076) and outline Landscape and Ecological Management Strategy (OLEMS) (APP-284). These include woodland and hedgerow planting proposals and will seek to address the requirement to promote coherent, resilient ecological networks that form part of the wider green infrastructure network. Principles are also included within the outline Landscape and Ecological Management Strategy (OLEMS) (APP-284)</p> <p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project and therefore operates as the Biodiversity Management Strategy referenced by draft NPS EN-1 Paragraph 5.4.36.</p> <p>The Applicant’s approach to BNG and compliance with relevant Policy is set out in the response to Section 4.6 of EN-1.</p>
	<p>EN-1 5.4.22</p>	<p>The design of Energy NSIP proposals will need to consider the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure. As energy infrastructure could occur anywhere</p>	<p>The following chapters have all considered the movement of mobile/migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> </ul>

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		<p>within England and Wales, both inland and onshore and offshore, the potential to affect mobile and migratory species across the UK and more widely across Europe (transboundary effects) requires consideration, depending on the location of development.</p>	<ul style="list-style-type: none"> <li>■ Chapter 12 Offshore and Intertidal Ornithology (APP-067);</li> <li>■ Chapter 10 Fish and Shellfish Ecology (APP-065),</li> <li>■ Chapter 11 Marine Mammals (APP-066) and</li> <li>■ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>A screening of potential transboundary effects was undertaken at the Scoping stage of the project which identified that there was no potential for significant transboundary effects to occur in relation to benthic and intertidal ecology, marine mammals and fish and shellfish ecology. While as outlined in relation to offshore and intertidal ornithology there is the potential for collisions and displacement at OWFs outside of the UK territorial waters the spatial scale and therefore seabird reference populations would be much larger and any conclusions drawn from existing cumulative impact assessments are unlikely to change.</p>
Applicant assessment- Habitats Regulation	EN-1 5.4.25	<p>The Applicant should seek the advice of the appropriate SNCB and provide the Secretary of State with such information as the Secretary of State may reasonably require, to determine whether an HRA Appropriate Assessment (AA) is required. Applicants can request and agree 'Evidence Plans' with SNCBs, which is a way to agree and record upfront the information the applicant needs to supply with its application, so that the HRA can be efficiently carried out. If an AA is required, the applicant must provide the Secretary of State with such information as may reasonably be required to enable the Secretary of State to conduct the AA. This should include information on any mitigation measures that are proposed to minimise or avoid likely significant effects.</p>	<p>The SoS will undertake a Habitats Regulation Assessment (HRA) in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017. As part of the HRA process, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent APP-057) with the relevant information to facilitate this HRA.</p> <p>The Applicant has liaised with Natural England and JNCC (the appropriate SNCBs) throughout the pre-application and HRA process through both statutory consultation and participation in the Evidence Plan Process (EPP). The HRA process was a key topic covered in the Expert Topic Groups (ETGs) and EPP process including identification and prioritisation of HRA matters and discussions on how these should be addressed in the Applicant's application.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>In addition, comments relevant to the wider ES have been incorporated into the relevant documents on which the RIAA draws and have been taken into account indirectly during the preparation of the RIAA where relevant (this includes any comments received in the Scoping Opinion that are of relevance to designated sites and therefore the RIAA)</p> <p>Feedback on a draft version of the RIAA (Outer Dowsing Offshore Wind, 2023) was received from Natural England on 20 July 2023. Section 4 of the RIAA sets out the Applicant's response to feedback and how this has been incorporated within the submission.</p>
	EN-1 5.4.26 – 5.4.28	<p>If, during the pre-application stage, the SNCB indicate that the proposed development is likely to adversely impact the integrity of habitat sites, the applicant must include with their application such information as may reasonably be required to assess a potential derogation under the Habitats Regulations.</p> <p>If the SNCB gives such an indication at a later stage in the development consent process, the applicant must provide this information as soon as is reasonably possible and before</p>	<p>As part of the HRA process, a screening exercise has been undertaken, in consultation with the SNCB, followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>Please see the Applicant's response to paragraph 4.2.9 above.</p>

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		<p>the close of the examination. This information must include assessment of alternative solutions, a case for IROPI and appropriate environmental compensation.</p> <p>Provision of such information will not be taken as an acceptance of adverse impacts and if an applicant disputes the likelihood of adverse impacts, it can provide this information as part of its application ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development. If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, there will be no expectation that the Secretary of State will allow The Applicant the opportunity to provide such information following the examination.</p>	
	<p>EN-1 5.4.29 – 5.4.30</p>	<p>It is vital that applicants consider the need for compensation as early as possible in the design process as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process.</p> <p>Applicants should work closely at an early stage in the pre-application process with SNCB and Defra/Welsh Government to develop a compensation plan for all protected sites adversely affected by the development. Applicants should engage with the relevant Local Planning Authority at an early stage regarding the proposed location of compensatory measures. Applicants should also take account of any strategic plan level compensation plans in developing project level compensation plans.</p>	<p>As noted in the response to paragraph 4.2.9, the Applicant has provided a compensation plan in respect of kittiwake, in the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the other relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>Provisions to secure the delivery of compensation (to the extent that the Secretary of State decides that this is necessary) are set out in the draft DCO (APP-303). The compensation options and plans have been the subject of extensive consultation with relevant stakeholders, as detailed therein, both through statutory consultation carried out under section 42 of the 2008 Act and participation in the EPP and ETGs. Additionally the Applicant has participated in the Collaboration in Offshore Wind Strategic Compensation (COWSC) led by the Offshore Wind Industry Council (OWIC) and the Crown Estate Kittiwake Strategic Compensation Plan (APP-260).</p> <p>The Applicant has the ability through the DCO to deliver strategic compensation through the Marine Recovery Fund.</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243)</li> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Sandbank Compensation Implementation and Monitoring Plan (APP-245)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Biogenic Reef Compensation Implementation and Monitoring Plan (APP-247)</li> <li>▪ Without Prejudice Benthic Compensation Evidence Base and Road Map (APP-248)</li> <li>▪ Ornithology Compensation Strategy (APP-249)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Outline Kittiwake Compensation Implementation and Monitoring Plan (APP-251)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Outline Guillemot Compensation Implementation and Monitoring Plan (APP-253)</li> <li>▪ Outline Razorbill Compensation Implementation and Monitoring Plan (APP-254)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> <li>▪ TCE Strategic Kittiwake Compensation Plan (APP-260); and</li> <li>▪ Compensation Funding Statement (APP-264)</li> </ul> <p>The documents relating to Guillemot, Razorbill, and Benthic features are submitted on a “without prejudice” basis.</p>

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	EN-1 5.4.31	Before submitting an application, applicants should seek the views of the SNCB and Defra/Welsh Government as to the suitability, securability and effectiveness of the compensation plan to ensure the development will not hinder the achievement of the conservation objectives for the protected site. In cases where such views are provided, the Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority.	<p>In addition to the kittiwake compensatory measures identified above the Applicant recognised the potential need to develop without prejudice compensatory measures for impacts arising from the Project from an early stage of the development. Consequently, at the outset of the Evidence Plan Process (EPP), an Expert Technical Group (ETG) was developed to cover derogation and compensation early on in the development process. After the initial meetings, this group was split into the two relevant technical workstreams (one for benthic ecology and the other for offshore ornithology).</p> <p>Consultee comments can be found in the following compensation plans listed in the response above (APP-243 – APP-264) and in the Consultation Report (APP-032).</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244)</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246)</li> <li>▪ Kittiwake Compensation Plan (APP-250)</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252)</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255)</li> </ul>
Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN – 1 5.4.32	Applicants should include measures to mitigate fully the direct and indirect effects of development on ancient woodland, ancient and veteran trees or other irreplaceable habitats during both construction and operational phase.	<p>Mitigation measures for ecological receptors including ancient woodland, ancient and veteran trees or other irreplaceable habitats are included in Table 3-4 of the Outline Landscape and Ecological Management Strategy (OLEMS) (APP-284).</p> <p>For further details see the Applicant’s response to NPS EN-1 5.4.14 – 5.4.15</p>
Protection and enhancement of habitats and other species	EN-1 5.4.33 – 5.4.34	Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.6. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the Environment Act 2021 and the Environmental Improvement Plan 2023.	<p>The OLEMS (APP-284) sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project.</p> <p>Compensation for loss of hedgerows and trees will be provided by re-instating native, species-rich hedgerows with heavy standard trees. Hedges will be reinstated at their original location (or as close as possible), new hedgerows will be located to re-establish links and maintain the network. New hedgerows will comprise a locally appropriate mixture of at least seven woody species and include heavy standard trees at a 3:1 ratio for any lost. Species selection will reflect established hedgerow species found within the local area and will be designed as mixed hedgerows to encourage biodiversity. Older hedgerow saplings will be used to re-establish hedgerows more quickly, as well as gap-fill existing hedges. All saplings will be planted with appropriate protection from pests.</p> <p>The Project has made a commitment to reinstate habitats as soon as practicable following construction.</p> <p>Compensation bat roost features will be provided for every potential roost feature (as identified by the pre-commencement/ pre-construction surveys) affected prior to loss. This compensation measure applies regardless of whether a confirmed roost is affected. The compensation roost features will aim to provide a functionally equivalent potential roost resource and may include re-use of cavity containing sections, re-use of whole felled trunks by setting vertically as monoliths, veteranisation (cutting and carving into healthy trees to mimic nature, to speed the process of decay and rot holes) and/or bat boxes on retained trees or installed poles, as appropriate.</p>

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			<p>Proposals to provide enhancement have been discussed with the Environment Agency, Natural England and Local Wildlife Organisations via the EPP meetings and bilateral discussions which have been ongoing since July 2022. The proposals, which were agreed in principle with EPP members, are presented within OLEMS (APP-284).</p> <p>Opportunities for the creation and enhancement of arable field margins will be developed in the detailed design, with any specifications set out in the Ecological Management Plan (EMP).</p> <p>Opportunities for enhancement and creation of terrestrial habitats exist at both the OnSS and the surrounding proposed landscape screening around the OnSS. Subject to detailed design and agreement from landowners, this could include the management of habitat specifically for amphibians, along with the creation of refugia, wider and more species rich field margins, and an increase in the network of wildlife corridors for amphibian movement. Any enhancement measures would be included as part of the detailed project design and secured within the EMP. Enhancement may also include the installation of a range of bird boxes and the creation of earth banks for invertebrates, refugia for reptiles, amphibians and small mammals</p> <p>Greater Frampton Vision is a Landscape Recovery project on the edge of the Wash in Lincolnshire, England. Some of the land within the Greater Frampton Vision is within the ECC and would be impacted by works. Where habitats are lost to site clearance, a basic program of like-for-like reinstatement would be applied. However, this would be on the understanding that mitigation may be realigned to accommodate RSPB's plans for the area or where those habitats have functionality for protected species, the habitat would be reinstated and improved. An example of this is the reinstatement of hedgerow habitats in this area, where RSPB's conservation strategy is to remove hedgerows in their vision area. In line with Good Practice Guidance set out in Section 4 of the Biodiversity Net Gain Project Principles and Approach Statement, an assessment has been undertaken based on the mitigation requirements set out in the OLEMS (document ref: APP-284). The Applicant is intent on leaving the environment in a measurably better state than before and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p> <p>In accordance with the mitigation hierarchy BNG should ideally be delivered on-site, near to where negative impacts occur, wherever possible. However, land ownership constraints may limit the scope to provide sufficient enhancement for measurable net gains within the Order Limits.</p>
Mitigation	EN-1 5.4.35	<p>Applicants should include appropriate avoidance, mitigation, compensation and enhancement measures as an integral part of the proposed development. In particular, the Applicant should demonstrate that:</p> <ul style="list-style-type: none"> <li>▪ during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;</li> <li>▪ the timing of construction has been planned to avoid or limit disturbance;</li> <li>▪ during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;</li> <li>▪ habitats will, where practicable, be restored after construction works have finished;</li> <li>▪ opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site</li> </ul>	<p>In addition to the consideration of restoration, creation, and enhancement of biodiversity outlined in the response above, mitigation measures are proposed within Sections 21.7 and 21.9 of the ES Chapter 21 Onshore Ecology (APP-076) and throughout the OLEMS (APP-284) for avoidance and mitigation measures. Examples of the proposed measures include (but are not limited to):</p> <ul style="list-style-type: none"> <li>▪ Careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</li> <li>▪ Where the Order Limits crosses Local Wildlife Sites and LWT reserves (such as Anderby Creek Sand Dunes LWS), trenchless techniques will be used.</li> <li>▪ An Ecological Clerk of Works (ECOWs) will be employed to oversee construction work and minimise risks to Important Ecological Features (IEFs), as described in the OLEMS</li> </ul>

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		<p>landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realised mitigations required as a result of legal protection of habitats or species will be complied with.</p>	<ul style="list-style-type: none"> <li>■ Checks for the presence of badger setts, reptiles, amphibians, hedgehogs and other protected or notable species will be carried out by the ECoW prior to vegetation clearance.</li> <li>■ In response to comments from NE the Project has committed to the retention and protection of bat flight lines during construction using protective fencing (such as Heras) to protect retained hedgerows and trees (including their root structure) from damage during construction. These will further be retained and protected through sensitive lighting design, which will be outlined in the Artificial Light Emissions Management Plan forming part of the final (CoCP).</li> <li>■ The CoCP and associated management plans include measures to reduce construction noise, dust, lighting and other emissions as well as pollution prevention measures and measures to protect and restore soils</li> <li>■ All construction work will be undertaken in accordance with the biosecurity measures outlined in section 3.4 of the OLEMS (APP-284).</li> <li>■ Removal of vegetation will take place outside of the breeding season (considered to be March – August inclusive) wherever possible.</li> <li>■ Seasonal restriction to works within 400m of core areas used by foraging brent geese at the Haven</li> <li>■ Localised working for winter works</li> </ul> <p>In addition to onshore measures, offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul> <p>During the operation and maintenance phase mitigation measures will include a Scour Protection Management Plan (SPMP), while a Decommissioning Programme will be developed for the decommissioning phase. Further details can be found in the Outline Scour Protection and Cable Protection Management Plan (APP-295).</p>
	<p>EN-1 5.4.36 and 5.4.38</p>	<p>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.</p> <p>To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.</p>	<p>The OLEMS (APP-284) acts at the Project’s approach to biodiversity management and is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302).</p> <p>The Outline Landscape and Ecological Management Strategy (OLEMS) (document APP-284) sets out the key landscape and ecology principles to inform the future Landscape Management Plan (LMP) and EMP, which are secured for submission post-consent by a requirement of the draft Development Consent Order (DCO) (APP-303) post consent. The OLEMS presents embedded mitigation with regard to habitat reinstatement, enhancement and creation. The future LMP and EMP would be based on the OLEMS principles and would set out the measures that the Applicant and their contractors would be required to adopt. The future LMP and EMP will be prepared in consultation with the Local Planning Authority (LPA). The OLEMS, therefore, operates as the Biodiversity Management Strategy referenced by NPS EN-1.</p> <p>The effects on geodiversity are considered within Chapter 23 Geology and Ground Conditions Geology and Ground Conditions (APP-078).</p> <p>Overall, through the implementation of mitigation measures, including those specified in the OCoCP (APP-268), it is considered that the likely overall effect of the Project on geodiversity and land use throughout the construction, operation and decommissioning of the Project is not significant in EIA terms.</p>

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Secretary of State decision making	EN-1 5.4.39 and 5.4.41	<p>The Government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The SoS should have regard to the aims and goals of the Government's Environmental Improvement Plan 2023 and in Wales the objectives of the Nature Recovery Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere.</p> <p>The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The SoS may take account of any such net benefit in cases where it can be demonstrated.</p>	<p>With regard to biodiversity, the Applicant has committed to several mitigation/compensatory measures to enhance biodiversity. This includes the OLEMS (APP-284) that sets out a number of high quality design measures that will also deliver biodiversity enhancements. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) that outlines the commitment of the Project to adopting BNG. Outer Dowsing Offshore Wind is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. The Project is exploring opportunities for BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>
	EN-1 5.4.42 – 5.4.43	<p>As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought.</p> <p>If significant harm to biodiversity resulting from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the SoS will give significant weight to any residual harm.</p>	<p>Areas of biodiversity and geological interest have been avoided as far as possible in the design of the Project through sensitive routing of the onshore and offshore Export Cable Corridor (ECC), siting of the OnSS and array areas and the location of the landfall zone. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The Applicant has undertaken careful siting of the Order Limits to avoid direct impacts to designated sites and avoidance of direct impacts on key areas of sensitivity including Annex 1 and Priority Habitats (for example coastal sand dunes and reedbeds) which may support protected species, wherever possible.</p> <p>Where features cannot be avoided, the Applicant has proposed suitable mitigation measures, as summarised in the response to NPS EN-1- 5.4.35 above, and where required compensation measures are proposed (as summarised in the response to NPS EN-1 5.4.33-5.4.3). Further details of onshore mitigation and compensation is provided in ES Chapter 21 Onshore Ecology (APP-076) and OLEMS (APP-284). Offshore construction phase mitigation measures will include the following:</p> <ul style="list-style-type: none"> <li>• Cable specification and installation plan;</li> <li>• Piling MMMP;</li> <li>• Production of a PEMP which will include a MPCP; and</li> <li>• Adherence to best practice guidelines.</li> </ul>
	EN-1 5.4.44	<p>The SoS should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered including linkages with existing habitats for compensation or BNG should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.</p>	<p>The draft DCO (APP-303), includes a requirement (DCO R12) for an ecological management plan (based on the outline landscape and ecological management strategy and reflecting survey results, and the ecological mitigation measures in the Environmental Statement) to be approved by the relevant planning authority in consultation with the relevant SNCB before works can commence for a particular stage of the onshore works. This requirement secures delivery of the principles set out in the OLEMS (APP-284), ES Chapter 21 Onshore Ecology (APP-076) And ES Chapter 22 Onshore Ornithology (APP-077). Confirmation of any maintenance and restoration details (such as timescales), will need to be approved within the final EMP.</p> <p>The draft DCO also includes a requirement (DCO R18) securing submission of a code of construction practice which accords with the Outline Code of Construction Practice (APP-268), and which sets out a number of environmental management plans that must be included in the code of construction practice, all for approval by the local planning authority in consultation with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO prior to commencement of works for a particular stage of the onshore works.</p>

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			Offshore mitigation is secured through the deemed marine licences (dMLs)), with approval required by the MMO prior to commencement.
	EN-1 5.4.45 – 5.4.47	<p>The SoS will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW (where appropriate). The SoS will also need to consider whether the SNCB or the MMO/NRW has granted or refused, or intends to grant or refuse, any relevant licences, including protected species mitigation licences.</p> <p>Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. The SoS should give appropriate weight to environmental and biodiversity enhancements, although any weight given to gains provided to meet a legal requirement (for example under the Environment Act 2021) is likely to be limited.</p> <p>When considering proposals, the SoS should maximise such reasonable opportunities in and around developments, using requirements or planning obligations where appropriate. This can help towards delivering BNG as part of or in addition to the approach set out at Section 4.6.</p>	<p>Details of other licences can be found within the Other Consents and Licences document (APP-305). When the detailed design of the onshore works is being finalised, discussions of the final project details will be undertaken with Natural England. If necessary, clarification will be sought on the requirement for an EPS Licence and, if required, an application for a licence will be made.</p> <p>It is anticipated that an EPS Licence may be required for disturbance caused by piling activities. When the detailed design of the Project is being finalised, discussions of the final project details will be undertaken with the MMO. If necessary, clarification will be sought on the requirement for an EPS Licence and, if Required, an application for a licence will be made.</p> <p>The DCO contains two deemed marine licences for the offshore generating station, offshore platforms and offshore cables: one for the generation assets (licence 1) and one for the offshore transmission assets (licence 2). The DCO also contains four deemed marine licences for the potential artificial nesting structures and one for benthic compensation measures if deemed necessary</p> <p>The Applicant has consulted extensively with the Natural England and MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard for these are outlined in Appendix 5.1.4 of the Consultation Report (Consultation Report Appendix 4B Section 42 Responses (APP-038)). The outcomes of the ETGs and EPP process has been recorded in EPP agreement logs submitted as part of Chapter 6 Technical Consultation (APP-061)</p>
	EN-1 5.4.48	In taking decisions, the Secretary of State should ensure that appropriate weight is attached to designated sites of international, national, and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment	<p>The Applicant has assessed the likely significant effects of the Project on the conservation objectives through an ecological evaluation and impact assessment approach based on CIEEM Guidelines for Ecological Impact Assessment in the United Kingdom and Ireland (CIEEM guidelines) (CIEEM, 2022), which are widely regarded as industry best practice.</p> <p>The relevant documents listed below conclude that with the implementation of appropriate mitigation measures (and other than the features identified as requiring an appropriate assessment under the RIAA - see response to NPS EN-1 5.4.26 – 5.4.28 for details ), no significant effects are predicted on internationally, nationally and locally designated sites of ecological conservation importance, protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 21: Onshore Ecology (APP-076);</li> <li>▪ Chapter 22: Onshore Ornithology (APP-077); and</li> <li>▪ Report to Inform Appropriate Assessment (APP-235);</li> </ul>
Secretary of State decision	EN-1 5.4.49	The Secretary of State must consider whether the project is likely to have a significant effect on a protected site which is part of the National Site Network (an habitat Site), a	As outlined in the Applicant’s response to paragraph 5.4.25, the Applicant has submitted a Report to Inform Appropriate Assessment (APP-235) HRA Screening Report (APP-239) and the Need, Policy and Legislative Context chapter of the ES (document referent 6.1.2) in order to inform the SoS when

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making -Habitat Regulations		protected marine site or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects.	<p>undertaking the HRA in accordance with section 63(1) of the Conservation of Habitats and Species Regulations 2017.</p> <p>As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235). Natural England were consulted on the HRA Screening Report in August 2022. Natural England concluded in their response that, while there are some concerns regarding offshore and intertidal ornithology and subtidal and intertidal ecology, the impact pathways to designated sites identified were considered appropriate.</p> <p>Please see the Applicant's response to paragraph 4.2.9</p>
Secretary of State decision making- Sites of Special Scientific Interest (SSSI)	EN-1 5.4.50	The Secretary of State should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest.	The Applicant has submitted a draft DCO (APP-303) which contains requirements considered necessary to secure the mitigation required to ensure the conservation and enhancement of any affected site's biodiversity.
Secretary of State decision making- Marine Conservation Zones	EN-1 5.4.51	The Secretary of State is bound by the duties on public authorities in relation to MCZs imposed by sections 125 and 126 of the Marine and Coastal Access Act 2009.	<p>In order to assist the SoS with their duty the Applicant has carried out a Marine Conservation Zone Assessment (APP-157) and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
Secretary of State decision making- Regional and Local Sites	EN-1 5.4.52	The Secretary of State should give due consideration to such regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent.	ES Chapter 21 (APP-076) comprises the assessment of potential impacts of the Project on onshore ecological receptors. The ecological study area extends 15km from the Project's Order Limits and includes three NNRs and two LNR within the study area alongside 43 Local Wildlife Sites (LWS) and eight Lincolnshire Wildlife Trust (LWT) Reserves. The onshore Order Limits have been designed to avoid designated sites. Where the boundary overlaps with these, the project has committed to avoid direct impact through the use of trenchless techniques. As such, direct loss of habitats within designated sites has been scoped out of the assessment. The assessment has considered indirect impacts on designated sites and concluded that with embedded mitigation no significant effects would be predicted on designated sites.
Secretary of State decision making- Ancient woodland, ancient trees, veteran trees, and other irreplaceable habitats	EN-1 5.4.53	The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient or veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists.	<p>There are no ancient woodlands within the Order Limits, or within 2km of the Order Limits. There will therefore be no loss or deterioration of ancient woodlands as a result of the Project. The potential for impacts to ancient and veteran trees are considered within section 9.1.2, of ES Chapter 21 Onshore Ecology (APP-076) with mitigation and compensation measures set out section 3.6.3 of the OLEMS (APP-284).</p> <p>No veteran trees were recorded within temporary or permanent works areas, although 12 trees were not subject to detailed assessment due to access restrictions. In order to mitigate the risk of loss of, or damage to veteran trees, final project design will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not.</p>

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			Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. No impacts are predicted to veteran trees as a result of the proposed mitigation.
Secretary of State decision making- Protection and enhancement of habitats and other species	EN-1 5.4.54 – 5.4.55	<p>The Secretary of State should ensure that species and habitats identified as being of importance for the conservation of biodiversity are protected from the adverse effects of development by using requirements, planning obligations, or licence conditions where appropriate.</p> <p>The Secretary of State should refuse consent where harm to a protected species and relevant habitat would result, unless there is an overriding public interest and the other relevant legal tests are met In this context the Secretary of State should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance or the climate resilience and the capacity of habitats to store carbon, which it considers may result from a proposed development.</p>	<p>As outlined within the ecology related chapters of the ES, all species and habitats that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <p>As set out within the following ecology related chapters of the ES, all species that receive statutory protection have been identified, and there will be no significant harm to these species with suitable mitigation measures in place.</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Chapter 21 Onshore Ecology (APP-076); and</li> <li>▪ Chapter 22 Onshore Ornithology (APP-077).</li> </ul> <p>The chapters explain the appropriate mitigation applied and the limited residual impacts predicted to remain.</p> <p>Where an adverse effect on a European Site has not been ruled out (Flamborough and Filey Coast SPA in relation to the kittiwake feature), a derogation case has been provided (APP-242), demonstrating IROPI.</p>
<b>EN-1 Part 5.5: Civil and Military Aviation and Defence Interests</b>			
Civil and Military Aviation and Defence Interests	EN-1 5.5.1 – 5.5.4	<p>All aerodromes, covering civil and military activities, as well as aviation technical sites, meteorological radars and other types of defence interests (both onshore and offshore) can be affected by new energy development.</p> <p>Collaboration and co-existence between aviation, defence and energy industry stakeholders should be strived for to ensure scenarios such that neither is unduly compromised.</p> <p>Alongside defence and other infrastructure, energy infrastructure, such as wind turbines, are an established part of the current and expected built energy environment. However, issues such as the cumulative impact, location and increasing geographical spread and height of windfarms, can all potentially have a bearing on aviation safety, defence capabilities and weather warnings and forecasts.</p> <p>Windfarms are an integral part of our plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p>	<p>To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation, defence and energy industry stakeholders including Ministry of Defence (MOD) and NATS.</p> <p>Consultation been conducted through the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process, informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-052).</p> <p>The Applicant has assessed the Project cumulatively with other projects.</p>
Aviation	EN-1 5.5.5- 5.5.7	UK airspace is important for both civilian and military aviation interests. It is essential that new energy infrastructure is developed collaboratively alongside aerodromes, aircraft, air systems and airspace so that safety, operations and capabilities are not	The Project has been developed collaboratively alongside aerodromes, aircraft, air systems and airspace stakeholders (see Chapter 16 Aviation, Radar, Military and Communication (APP-071).

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		<p>adversely affected by new energy infrastructure. Likewise, it is essential that aerodromes, aircraft, air systems and airspace operators work collaboratively with energy infrastructure developers essential for net zero. Aerodromes can have important economic and social benefits, particularly at the regional and local level, but their needs must be balanced with the urgent need for new energy developments, which bring about a wide range of social, economic and environmental benefits.</p> <p>Commercial civil aviation is largely confined to designated corridors of controlled airspace and set approaches to airports. However, other aircraft often fly outside of 'controlled air space'.</p> <p>The approaches and flight patterns to aerodromes can be irregular owing to a variety of factors including the performance characteristics of the aircraft concerned and the prevailing meteorological conditions. It may be possible to adapt flight patterns to work alongside new energy infrastructure without impacting on aviation safety.</p>	<p>Consultation was conducted through the EIA scoping process and the statutory pre-application consultation process, informed by the PEIR. An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>The airspace above and adjacent to the array is used for both civil and military aircraft and lies within the London Flight Information Region for Air Traffic Control.</p> <p>During the construction phase, the creation of an aviation obstacle environment and increased air traffic related to wind farm construction are both considered not to be significant. During the operation and maintenance phase the creation of an aviation obstacle environment and increased air traffic related to windfarm activities are deemed not significant. A major significant impact is identified concerning specific Primary Surveillance Radar (PSR) systems when there is no mitigation considered. However, mitigation solutions for the impact in specific PSR systems will be agreed with National Air Traffic Services (NATS) and the Ministry of Defence (MOD), and will reduce the impact to not significant.</p> <p>Throughout the decommissioning phase, the removal of the aviation obstacle environment is expected to result in no change, and increased air traffic related to decommissioning activities is considered not significant. The following mitigation measure is proposed, Aviation stakeholders will be made aware of the Project decommissioning via Notices to Airmen (NOTAMs) and obstacle details will be passed to the CAA at least eight weeks before decommissioning commences. No additional mitigation measures are identified, leading to an overall assessment of not significant impact during decommissioning.</p> <p>In summary, the assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are to be discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p>
Safeguarding	EN-1 5.5.8 – 5.5.20	<p>Certain civil aerodromes, and aviation technical sites, selected on the basis of their importance to the national air transport system, are officially safeguarded in order to ensure that their safety and operation are not compromised by new development. A similar official safeguarding system applies to all military aerodromes, defence surveillance sites, and other defence assets.</p> <p>Areas of airspace around aerodromes used by aircraft, including taking off or on approach and landing are described as "Obstacle Limitation Surfaces" (OLS). All civil aerodromes licensed by the Civil Aviation Authority (CAA) and all military aerodromes must comply with the OLS. These are defined according to criteria set out in relevant CAA guidance for licensed civil aerodromes and according to MOD criteria, as set by the Military Aviation Authority, which is part of the Defence Safety Authority (DSA), for military aerodromes.</p> <p>Aerodromes that are officially safeguarded will have officially produced plans that show the OLS. Care must be taken to ensure that new developments do not infringe these protected OLS except where an aerodrome operator has considered the development and either determined there to be no adverse impact or agreed an acceptable</p>	<p>See responses to Paragraphs 5.5.1 – 5.5.4 and 5.5.5- 5.5.7 which shows the Applicant's approach to consultation which will ensure safeguarded sites will not be impacted as a result of the Project. To ensure the Project does not affect any of the listed interests, the Applicant has engaged and consulted with aviation and defence stakeholders including Ministry of Defence (MOD) and the Civil Aviation Authority (CAA). An overview of the consultation undertaken by the Project is presented in Chapter 6 Technical Consultation (APP-061) with full details of consultation received and responses provided presented in the Consultation Report (APP-032).</p> <p>There are a number of small airfields/air strips within relatively close proximity to the onshore ECC. However, none of the onshore activities proposed would result in any of the potential risks to aviation as presented in EN-1.</p> <p>See Table 16.1 in Chapter 16.</p>

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		<p>mitigation can be put in place, as these encompass the critical airspace within which key air traffic associated with the aerodrome operates.</p> <p>The CAA’s CAP sets out that all licensed aerodromes are required to ensure they have a system in place to safeguard their aerodrome against the growth of obstacles or activities that may present a hazard to aircraft operations.</p> <p>The certified Safeguarding maps for all aerodromes (both licensed and unlicensed) depicting the OLS and other criteria (for example to minimise “birdstrike” hazards) are deposited with the relevant LPAs.</p> <p>The CAA makes clear that the responsibility for the safeguarding of General Aviation aerodromes lies with the aerodrome operator.</p> <p>There are also “Public Safety Zones” (PSZs) at the end of runways of the busiest airports in the UK, within which development is restricted to minimise risks to people on the ground in the event of an aircraft accident on take-off or landing. Maps showing the PSZs are deposited with the relevant LPAs. DfT Circular 01/2010 provides advice to local planning authorities on Public Safety Zones.</p> <p>The military Low Flying system covers the whole of the UK and enables low flying activities as low as 75m (mean separation distance). A considerable amount of military flying for training purposes is conducted at as low as 30m in designated Tactical Training Areas (TTAs) in mid Wales, Cumbria, the Scottish Border region and in the Electronic Warfare Range in the Scottish Border area. In addition, military helicopters may operate down to ground level.</p> <p>New energy infrastructure may cause obstructions in MOD low flying areas. A balance must be struck between defence and energy needs in these areas.</p> <p>Sufficient air training space and space for civil operations will be required and operation around structures such as wind turbines will become increasingly important as the number of these structures increase.</p>	
Communications, navigation and surveillance (CNS) infrastructure	EN-1 5.5.21 – 5.5.28	<p>Safe and efficient operations within UK airspace and defence operations are dependent upon Communications, Navigation and Surveillance (CNS) infrastructure, including radar (often referred to as ‘technical sites’).</p> <p>Energy infrastructure development may interfere with the operation of CNS systems such as radar. This is a particular problem for wind turbines as they can act as a reflector or diffractor of radio signals upon which Air Traffic Control Services and Air Defence Operations rely (an effect which is particularly likely to arise when large structures, such as wind turbines, are near Communications and Navigation Aids and technical sites).</p> <p>Wind turbines may also cause false returns and other technical issues when built in line of sight to radar installations.</p> <p>Windfarms are an integral part of the plan to achieve Net Zero, as well as delivering affordable clean energy to consumers. The government has an official ambition to deliver up to 50GW of offshore wind by 2030 and the Committee on Climate Change’s 6th Carbon Budget (CB6) views offshore wind as the backbone of electricity generation across all its scenarios. The Offshore Wind Sector Deal confirmed that government will work collaboratively with the energy sector and wider stakeholders to address strategic deployment issues including aviation and surveillance systems including radar.</p> <p>Whilst it is hoped that future surveillance technologies will enable civil and military aviation, defence and meteorological surveillance providers and windfarms to meet coexistence challenges, it should not be assumed, however, that there will be sufficient advancement in surveillance technologies to meet all future requirements. A “system of systems” approach may help address the impacts on air surveillance and routine air</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Chapter 16 Aviation, Radar, Military and Communication (APP-071) confirms that the Project will result in no measurable effects upon other terrestrial based aviation CNS systems as the Project is considerably outside applicable safeguarding limits pertaining to such CNS infrastructure. NATS apply a 10km safeguarded zone around route navigation aids, and the Array area is 54km from the nearest coastline. Therefore, terrestrial CNS infrastructure (other than PSR) is not considered in detail within Chapter 16, as no sites will be affected.</p> <p>The Project would make a substantial contribution towards the delivery of renewable energy in line with the need to significantly accelerate the decarbonisation of the power sector by 2030. Substantial weight should therefore be ascribed to the balance of considerations and the presumption in favor of such developments should apply.</p>

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		<p>traffic control operations for those windfarms that exist when radar or other surveillance systems are procured, however this can add complexity to aviation safety assurance and operating practices.</p> <p>Surveillance methods that rely on cooperation alone, such as Automatic Dependent Surveillance – Broadcast (ADS-B) or Secondary Surveillance Radar transponders, are not sufficient to meet the UK’s security and national defence requirements nor would they assure the flight safety of air traffic from non-cooperative threats.</p> <p>MOD recognises that the environmental Baseline includes existing windfarms and any mitigation solutions that have been established to support them when procuring future radar systems.</p> <p>As existing CNS infrastructure reaches the end of its operational life, replacement options that are more tolerant of wind turbines, if available, should be installed by CNS owners/operators to futureproof, so far as is practicable, aerodromes against possible future turbine installations in order to maintain or enhance aviation safety. This should be considered on a case-by-case basis, so that the correct solution(s) are identified which strike the balance between surveillance quality/needs and reasonableness of costs being achieved, whilst maintaining safety.</p> <p>Applicants should provide relevant information on proposed developments to enable CNS owners/operators to consider upgrades appropriately.</p>	
Weather warnings and forecasts	EN-1 5.5.29 -5.5.32	<p>The UK weather radar network is composed of 15 weather radars that are operated and maintained by the Met Office. Each radar provides data out to 255km that underpin the Public Weather Service and the provision of critical meteorological information to a range of stakeholders including aviation, defence, civil contingencies, and the wider UK population, and in the case of severe weather, through the National Severe Weather Warning Service (NSWWS).</p> <p>Weather radars are currently the only means of detecting the presence and location of precipitation in real time. The main hazard from precipitation is flooding and assessment of the potential flood impacts are carried out in consultation with the UK’s authoritative flood agencies.</p> <p>Some energy structures, such as wind turbines, have the potential to adversely impact weather radar signals, even beyond 100km from the radar. This can lead to downstream impacts in meteorological and hydrological warning systems that use radar data, which in turn decreases the credibility of warning systems. For example, when the size of the affected area exceeds the typical size of storms, warning systems may miss the initial stages of a significant rainfall event, which can cause delays in issuing warnings.</p> <p>The Met Office protects its weather radars by engaging in the formal planning consultation process. Met Office weather radars are officially safeguarded and as per Secretary of State direction will be consulted directly on all relevant applicable planning applications within safeguarded zones by local planning authorities.</p>	The closest Met Office weather radar to the Array area is located at Ingham in Lincolnshire, 106km to the west. At a minimum range of 106km, WTGs within the array area will be significantly beyond the 20km safeguarded zone established around Ingham weather radar, and therefore unlikely to have a significant impact. As such, the potential impacts to this receptor have been scoped out of the assessment.

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Other defence interests	EN-1 5.5.33 – 5.5.36	<p>The MOD operates military training areas, military danger zones (offshore Danger and Exercise areas), military explosives storage areas and TTAs. There are extensive Danger and Exercise Areas across the UKCS for military firing and highly surveyed routes to support government shipping that are essential for national defence. In addition, the MOD retains defence maritime navigational capabilities throughout the UKCS to maintain national defence.</p> <p>Other operational defence assets may be affected by new development, for example non-aviation technical equipment such as: the Seismological Monitoring Station at Eskdalemuir; maritime acoustic facilities; communications installations including satellite ground stations; and range control radars.</p> <p>It is important that new energy infrastructure does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p> <p>The Joint industry and government Air Defence and Offshore Wind Mitigation Task Force was set up to enable the co-existence of UK Air Defence and offshore wind. The Strategy and Implementation Plan sets the direction for that collaboration. The recommendations generated from this Task Force should be referred to by both defence and energy stakeholders.</p>	<p>The Project does not unacceptably impede or compromise the safe and effective use of any defence assets or operations.</p>
Applicant Assessment	EN-1 5.5.37 – 5.5.40	<p>Where the proposed development may affect the performance of civil or military aviation CNS, meteorological radars and/or other defence assets an assessment of potential effects should be set out in the ES (see Section 4.3).</p> <p>The requirement for Air Traffic Control (ATC) and non-cooperative surveillance – i.e. radar/tracking technologies - forms part of the environmental Baseline for proposed developments.</p> <p>The Applicant should consult the MOD, Met Office, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation, meteorological or other defence interests.</p> <p>Any assessment of effects on aviation, meteorological or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), generation of weather warnings and forecasts, other defence assets (including radar) and aerodrome operational procedures. It should also assess the demonstratable cumulative effects of the project with other relevant projects in relation to aviation, meteorological and defence.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Potential effects are assessed in ES Chapter 16 Aviation, Radar, Military and Communication (APP-071) and consultation undertaken with relevant civil and military aviation stakeholders is detailed. Effects on civil and military aviation during the Project phases are assessed alongside cumulative impacts.</p> <p>For civil and military radar, relevant stakeholders, including the MoD, CAA, and NATS, have been invited to meetings as a forum to discuss the potential effects on aviation and radar in the area. Consultation with relevant stakeholders was ongoing throughout the pre-application process, allowing for consultation on the potential impacts arising from the Project. This is discussed in more detail within ES Volume 1, Chapter 16: Aviation, Radar, and Military and Communication (APP-071).</p>
	EN-1 5.5.41	<p>In addition, consideration of developments near aerodromes should take into account the following factors:</p> <ul style="list-style-type: none"> <li>▪ Bird Strike Risk - Aircraft are vulnerable to wildlife strike, in particular bird strike. Birds and other wildlife may be attracted to the vicinity of an aerodrome by various types of development, for example, large buildings with perching/roosting opportunities for birds. It is therefore important that infrastructure, buildings, and other elements from energy installations, as well as environmental mitigation are designed in such a way so as not to increase the bird strike risk to the airport for developments within 13km (this can vary).E</li> </ul>	<p>There are a number of small airfields/air strips within relatively close proximity to the ECC. However, none of the activities proposed would result in any of the potential risks to aviation as presented in EN-1. The closest radar-equipped airfields to the array area are Humberside Airport, 90km to the west, and Norwich Airport, 90km south of the array area. Effects on civil and military aviation during the Project phases are assessed including aerodromes in Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071) and are not significant under EIA Regulations.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ Building Induced Turbulence - If a significant building or structure is proposed close to the airport/runways, there is potential for building induced turbulence/wind shear to be created which has the potential to impact on aircraft on take-off and landing. Studies may be required to identify the extent of any turbulence resulting from the energy infrastructure.</li> </ul> <p>Thermal Plume Turbulence - This is caused under certain conditions by the release of hot air from a power plant equipped with a dry cooling system. The plumes generated by these facilities have the potential to create invisible turbulence that can affect the manoeuvrability of aircraft.</p>	
	EN-1 5.5.42	If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the Applicant to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible.	The Applicant volunteered for the Project to be part of the NSIP Reform Early Adopter Programme which facilitated the use of multiparty meetings during the pre-application stages. This has played a successful role in ensuring where possible any concerns with the Project have been understood and addressed through appropriate Project refinement and the inclusion of relevant requirements/conditions. set out in each of the NPSs. As such, the Applicant has ensured throughout the pre-examination process and will continue to ensure that the relevant aviation, meteorological and defence consultees are informed as soon as reasonably possible of any changes.
Mitigation	EN-1 5.5.43- 5.5.44	<p>The Applicant should include appropriate mitigation measures as an integral part of the proposed development.</p> <p>Mitigation for infringement of OLS may include:</p> <ul style="list-style-type: none"> <li>▪ agreed changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome against pre-COVID-19 levels); or</li> </ul> <p>installation of obstacle lighting and/or by notification in Aeronautical Information Service publications</p>	<p>A range of embedded mitigation measures, including adhering to all relevant CAA safety guidance, the creation of an Emergency Response Co-Cooperation Plan (ERCoP), notification to aviation stakeholders, lighting and marking to minimise effects to aviation flight would apply to the Project, as described within Section 16.5 and Section 16.7 of Chapter 16 Aviation, Radar, Military and Communication (APP-071). The detail of above mitigation measures will also be agreed in consultation with appropriate stakeholders. Aviation stakeholders will be made aware of the Project via NOTAMs and obstacle details will be passed to the CAA at least eight weeks before construction commences. CAA will forward the information to MOD DGC and NATS AIS for inclusion in the AIP and on relevant civil and military aeronautical charts. Marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.</p> <p>The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific PSR systems, for which mitigation solutions are being discussed with NATS and MOD.</p>
	EN-1 5.5.45	<p>For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include:</p> <ul style="list-style-type: none"> <li>▪ operational airspace changes</li> <li>▪ agreement to upgrade CNS infrastructure, the cost of which the Applicant will be required to fund until the end of the life of the surveillance equipment if subsequently replaced by a fully windfarm tolerant system. If an appropriate system upgrade cannot be identified at the point of application, the Applicant will be required fund any future upgrade for the lifetime of the wind farm. MOD will engage early with developers to ensure the costs are reflective of their need and impacts of the energy installation on the monitoring equipment.</li> </ul> <p>introducing commercially viable radar mitigation technology to the development, e.g. by using non-radar reflecting materials to manufacture wind turbine blades.</p>	
	EN-1 5.5.46 – 5.5.48	Mitigation for effects on meteorological radar and CNS systems may include reducing the scale of a project, although it is likely to be unreasonable for the Secretary of State to require mitigation by way of a reduction or alteration in the scale of development. There may be exceptional circumstances where a small reduction in the scale of a development and any associated reduction in generating capacity, will result in	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>proportionately greater mitigation for radar and CNS systems. In these cases, the Secretary of State may consider that the benefits to CNS and radar mitigation outweighs this loss of capacity.</p> <p>Consideration from energy stakeholders should also be given to the possibility of introducing commercially viable radar mitigation technology as windfarm assets are renewed and replaced e.g., by using non-radar reflecting materials to manufacture turbine blades.</p>	
Secretary of State decision making	EN-1 5.5.49 – 5.5.50	<p>The Secretary of State should be satisfied that the effects on meteorological radars, civil and military aerodromes, aviation technical sites and other defence assets have been addressed by The Applicant and that any necessary assessment of the proposal on aviation, NSWWS or defence interests has been carried out.</p> <p>In particular, the Secretary of State should be satisfied that the proposal has been designed, where possible, to minimise adverse impacts on the operation and safety of aerodromes and that realistically achievable mitigation is carried out on existing surveillance systems such as radar / tracking technologies. It is incumbent on Operators of aerodromes to regularly review the possibility of agreeing to make reasonable changes to operational procedures.</p>	<p>The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.</p> <p>Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.51	<p>When assessing the necessity, acceptability, and reasonableness of operational changes to aerodromes, the Secretary of State should be satisfied that they have the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the Secretary of State should have regard to interests of defence and national security.</p>	<p>There are no operational changes proposed to aerodromes and therefore this does not need to be considered.</p>
	EN-1 5.5.52 – 5.5.53	<p>In the case of meteorological radars, the Secretary of State should consider the extent to which the provision of weather and flood warnings is compromised.</p> <p>If there are conflicts between the government’s energy and transport policies and military interests in relation to the application, the Secretary of State should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible, recognising simultaneously the evolving landscape in terms of the UK’s energy security and the need to tackle climate change, which necessitates the installation of wind turbines and the need to maintain air safety and national defence and the national weather warning service.</p>	<p>Refer to comment for paragraphs 5.5.29 -5.5.32; the Project will not have significant impacts on UK weather radar as outlined within Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
	EN-1 5.5.54	<p>There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the Secretary of State should be satisfied of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration.</p>	<p>The Air Navigation Order 2016/765 (CAA, 2022) implements the UK’s obligations under the convention on international civil aviation and regulates aspects of aviation safety.</p> <p>The Applicant will comply with statutory requirements as secured in the draft DCO. The Applicant is committed to making and lighting the Project in accordance with relevant industry guidance and as advised by relevant stakeholders including the MCA, CCA and Trinity House.</p>
	EN-1 5.5.55 – 5.5.56	<p>Lighting must also be designed in such a way as to ensure that there is no glare or dazzle to pilots and/or ATC, aerodrome ground lighting is not obscured and that any lighting does not diminish the effectiveness of aeronautical ground lighting and cannot be confused with aeronautical lighting. Lighting may also need to be compatible with night vision devices for military low flying purposes.</p>	<p>Refer to comment for Paragraph 5.5.54.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Where new technologies to mitigate the adverse effects of wind farms on surveillance systems, such as radar, are concerned, the Secretary of State should have regard to any Civil Aviation Authority Guidelines and/or government guidance which emerges from the joint government/Industry Aviation Management Board and the Joint Air Defence and Offshore Wind Task Force.	
	EN-1 – 5.5.57 – 5.5.58	Where suitable technological solutions have not yet been developed or proven, the Secretary of State will need to consider the likelihood of a solution becoming available within the time limit for implementation of the Development Consent Order.  Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation, meteorological radars, defence assets and/or significantly limit military training, the Secretary of State may consider the use of ‘Grampian conditions’, or other forms of requirement which relate to the use of current or future technological solutions, to mitigate impacts on legacy CNS equipment.	The assessment suggests that the Project is not expected to have significant adverse effects on civil and military aviation and radar, except a major significant impact on specific Primary Surveillance Radar systems, for which mitigation solutions are being discussed with NATS and MOD. Mitigation measures the project has committed to, in order to reduce impacts include adhering to all relevant CAA and MOD safety guidance, the Project providing appropriate Information, notifications and charting to aviation stakeholders, and marking and lighting of obstacles will be in accordance with Article 223, MCA (MGN 654) and MOD requirements.
	EN-1 5.5.59	Where, after reasonable mitigation, operational changes, obligations, and requirements have been proposed, the Secretary of State should consider whether: <ul style="list-style-type: none"> <li>▪ a development would prevent a licensed aerodrome from maintaining its licence and the operational loss of the said aerodrome would have impacts on national security and defence, or result in substantial local/national economic loss, or emergency service needs;</li> <li>▪ it would cause harm to aerodromes’ training or emergency service needs;</li> <li>▪ the development would impede or compromise the safe and effective use of defence assets or unacceptably limit military training;</li> <li>▪ the development would have a negative impact on the safe and efficient provision of en-route air traffic control services for civil aviation, in particular through an adverse effect on CNS infrastructure.</li> </ul> the development would compromise the effective provision of weather warnings by the NSWWS, or flood warnings by the UKs flood agencies	The response to NPS EN-1 5.5.5- 5.5.7 summarises how the Applicant has considered the potential impact of the Project on aviation, radar, military and communication receptors during the construction, operation and maintenance, and decommissioning phases.  Due to the project design and embedded mitigation The Project will not have a significant effect on meteorological radar, civil and military aerodromes, aviation technical sites and other defence assets, as detailed in Chapter 16 Aviation, Radar, Military and Communication (APP-071).
	EN-1 5.5.60	Provided that the Secretary of State is satisfied that the impacts of proposed energy developments do not present risks to national security and physical safety, and where they, provided that the Secretary of State is satisfied that appropriate mitigation can be achieved, or appropriate requirements can be attached to any Development Consent Order to secure those mitigations, consent may be granted.	Marking and lighting requirements are discussed in Chapter 16 Aviation, Radar, Military and Communication (APP-071) in accordance with ANO Article 223, lighting intensity will be reduced at and below the horizontal and further reduced when visibility in all directions from every WTG is more than 5km.  The generation and transmission deemed marine licences include a condition (Condition 10 Aviation safety) requiring the undertaker to notify the Defence Infrastructure Organisation Safeguarding regarding the construction of the scheme and its parameters. This is a standard condition and follows the wording of the same condition in other consented schemes.
<b>EN-1 Part 5.6: Coastal change</b>			
Coastal Change	EN-1 5.6.1 – 5.6.3	The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The government’s aim is to ensure that our coastal communities continue to prosper and adapt to coastal change. This means planning should:	A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003). The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts

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		<ul style="list-style-type: none"> <li>▪ ensure that policies and decisions in coastal areas are based on an understanding of coastal change over time</li> <li>▪ prevent new development from being put at risk from coastal change by: <ul style="list-style-type: none"> <li>▪ avoiding inappropriate development in areas that are vulnerable to coastal change or any development that adds to the impacts of physical changes to the coast</li> <li>▪ directing development away from areas vulnerable to coastal change</li> </ul> </li> <li>▪ ensure that the risk to development which is, exceptionally, necessary in coastal change areas because it requires a coastal location and provides substantial economic and social benefits to communities, is managed over its planned lifetime</li> <li>▪ ensure that plans are in place to secure the long-term sustainability of coastal areas</li> </ul> <p>For the purpose of this section, coastal change means physical change to the shoreline, i.e. erosion, coastal landslip, permanent inundation and coastal accretion.</p>	<p>associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p>
	EN-1 5.6.4 – 5.6.9	<p>Where Onshore infrastructure projects are proposed on the coast, coastal change is a key consideration as well as a vital element of climate change adaptation (see Section 4.10).</p> <p>Some kinds of coastal change happen very gradually, others over shorter timescales. Some are the result of purely natural processes others, including potentially significant modifications of the coastline or coastal environment resulting from climate change, are wholly or partly man-made. This section concerns both the impacts which energy infrastructure can have as a driver of coastal change, and how to ensure that developments are resilient to ongoing and potential future coastal change.</p> <p>The construction of an onshore energy project on the coast may involve, for example, dredging, dredge spoil deposition, cooling water, culvert construction, marine landing facility construction and flood and coastal protection measures which could result indirect effects on the coastline, seabed and marine ecology and biodiversity. Additionally, indirect changes to the coastline and seabed might arise as a result of a hydrodynamic response to some of these direct changes. This could lead to localised or more widespread coastal erosion or accretion and changes to offshore features such as submerged banks and ridges, marine biodiversity and heritage assets.</p> <p>This section only applies to onshore energy infrastructure projects situated on the coast. The impacts of offshore renewable energy projects on marine life and coastal geomorphology are considered in EN-3.</p> <p>Section 5.4 on biodiversity and geological conservation, Section 5.8 on flood risk and Section 4.10 on adaptation to climate change, including the increased risk of coastal erosion, are also relevant, as is advice on access to coastal recreation sites and features in Section 5.11 on land use. Advice on the historic environment in Section 5.9 may also be relevant.</p>	<p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p> <p>The effects of the Project on marine ecology, biodiversity and protected sites are considered elsewhere in the ES within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish (APP-065);</li> <li>▪ Chapter 11: Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067); and</li> <li>▪ RIAA (APP-235).</li> </ul> <p>The effects of the Project on maintaining coastal recreation sites and features are set out in Chapter 18 Marine Infrastructure and Other Users (APP-073).</p>
Applicant Assessment	EN-1 5.6.10	Where relevant, applicants should undertake coastal geomorphological and sediment transfer modelling to predict and understand impacts and help identify relevant mitigating or compensatory measures.	An assessment of the potential impacts and predictions of the Project on Marine Physical Processes using the evidence base, project specific Baseline characterisation and project specific numerical modelling is provided in Chapter 7 Marine Physical Processes (APP-062).
	EN-1 5.6.11	The ES (see Section 4.3) should include an assessment of the effects on the coast, tidal rivers, and estuaries. In particular, applicants should assess:	The impact of the proposed Project on coastal processes and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) for the construction, O&M and decommissioning phases. The

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ the impact of the proposed project on coastal processes and geomorphology, including by taking account of potential impacts from climate change. If the development will have an impact on coastal processes The Applicant must demonstrate how the impacts will be managed to minimise adverse impacts on other parts of the coast</li> <li>▪ the implications of the proposed project on strategies for managing the coast as set out in Shoreline Management Plans (SMPs) (which are designed to identify the most sustainable approach to managing flood and coastal erosion risks from short to long term and are long term non-statutory plans which set out the agreed high-level objective for coastal flooding and erosion management for each SMP area)), any relevant Marine Plans, River Basin Management Plans(RBMP), and capital programmes for maintaining flood and coastal defences and Coastal Change Management Areas</li> <li>▪ the effects of the proposed project on marine ecology, biodiversity, protected sites, and heritage assets</li> <li>▪ how coastal change could affect flood risk management infrastructure, drainage, and flood risk</li> <li>▪ the effects of the proposed project on maintaining coastal recreation sites and features.</li> </ul> <p>the vulnerability of the proposed development to coastal change, taking account of climate change, during the Project’s operational life and any decommissioning period</p>	<p>impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of this chapter.</p> <p>Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). This will mitigate the impact of cable protection upon beach morphology and littoral sediment transport. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>A description of the Baseline (existing) Marine Physical Processes is provided in Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) as well as within Volume 3, Appendix 7.1: Physical Processes Technical Baseline (AS-003).</p> <p>The vulnerability of the Project to coastal change is considered in the context of Landfall infrastructure in Chapter 7 Marine Physical Processes (APP-062). As noted in the response to NPS EN-1 5.6.4 – 5.6.9, The presence of annual beach nourishment means that the choice of location for the onshore HDD works and jointing bay is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change, for as long as the ‘hold the line’ strategy is in place.</p>
	EN-1 5.6.12	<p>For any projects involving dredging or deposit of any substance or object into the sea, The Applicant should consult the MMO and Historic England, or the NRW in Wales. Where a project has the potential to have a major impact in this respect, this is covered in the technology specific NPSs. For example, EN-4 looks further at the environmental impacts of dredging in connection with LNG tanker deliveries to LNG import facilities.</p>	<p>Consultation has been undertaken through the scoping process and further consultation related to impacts from dredging and deposit is detailed in Chapter 7 Marine Physical Processes (APP-062), Chapter 8: Marine Water and Sediment Quality (APP-063), Chapter 9 Benthic and Intertidal Ecology (APP-064) and Chapter 10 Fish and Shellfish Ecology (APP-065).</p> <p>The Applicant has consulted with the MMO and Historic England as to the need for dredge and disposal works, and an associated disposal site, for offshore works, and provided a Site Characteristics Report which provides the regulator with adequate information to designate a disposal site for the construction phase.</p>
	EN-1 5.6.13	<p>The Applicant should be particularly careful to identify any effects of physical changes on the integrity and special features of MPAs. These could include MCZs, habitat sites including SAC and Special Protection Areas with marine features, Ramsar Sites, Sites of Community Importance, and SSSIs with marine features. Applicants should also identify any effects on the special character of Heritage Coasts.</p>	<p>The locations of designated sites are shown in Figure 7.9 in Chapter 7 Marine Physical Processes Figures (APP-093 to APP-094) with potential impacts considered in Section 7.12 of Chapter 7 Marine Physical Processes (APP-062).</p> <p>A list of designated sites within the Marine Physical Processes ZoI, with detail of the relevant protected features, is provided below:</p> <ul style="list-style-type: none"> <li>▪ North Norfolk Sandbanks and Saturn Reef SAC</li> <li>▪ Inner Dowsing, Race Bank and North Ridge SAC</li> <li>▪ Chapel Point – Wolla Bank SSSI</li> </ul> <p>A standalone RIAA (APP-235) and a MCZ Assessment (APP-157), has been produced detailing all matters associated with statutory designations.</p> <p>The MCZ Assessment (APP-157) has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in Chapter 9 Benthic and Intertidal Ecology (APP-064) and the RIAA (APP-235).</p>
	EN-1 5.6.14	Applicants must demonstrate that full account has been taken of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.	<p>In line with paragraphs 4.3.1 to 4.3.9 of this NPS, An ES (APP-051) accompanies the Application and describes the aspects of the environment likely to be significantly affected by the Project as scoped in the Scoping Report and agreed with the SoS in the Scoping Opinion (Planning Inspectorate, 2022). The ES assesses the likely significant effects of the Project covering direct, indirect, secondary, cumulative, short-term, medium-term, long-term, permanent, temporary, positive and negative effects in the construction, operation and maintenance and decommissioning phases of development. The ES also describes the suite of mitigation measures required to mitigate significant adverse effects.</p> <p>ES Chapter 31: Climate Change (APP-086), demonstrates the net benefit of the project regarding lifetime carbon emission reduction compared to the project baseline scenarios of ‘Gas’ and ‘all non-renewables’ derived electricity, were the Project not to be developed.</p> <p>The ES includes Chapter 7 Marine Physical Processes (APP-062) which provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change. Section 7.5 of the Chapter sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment. The chapter highlights that the preferred Environment Agency management strategy in place along this part of the coast from 2025 to 2055 is to maintain flood defences in their current position and to raise and improve them to counter sea level rise as required.</p> <p>Section 7.9 of the chapter specifically provides the relevant mitigation measures that were identified and adopted as part of the evolution of the Project’s design (embedded into the project design) and that are relevant to physical processes.</p> <p>As such it is considered that the Project is in accordance with paragraph 5.6.14 of EN-1.</p>
Mitigation	EN-1 5.6.15	Applicants should propose appropriate mitigation measures to address adverse physical changes to the coast, in consultation with the MMO, the EA or NRW, LPAs, other statutory consultees, Coastal Partnerships and other coastal groups, as it considers appropriate. Where this is not the case, the Secretary of State should consider what appropriate mitigation requirements might be attached to any grant of development consent.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul>

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			<p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and non NPS policy tests of relevance to the assessment and mitigation of potential impacts to marine physical processes, including the future Baseline scenario with regards climate change, which is considered in Chapter 31 Climate Change (APP-085).</p> <p>Section 7.9 of Chapter 7 Marine Physical Processes (APP-062) sets out mitigation that were identified and adopted as part of the evolution of the project design (embedded into the project design) and that are relevant to physical processes (listed in Table 7.4).</p> <p>The Project has committed to a range of mitigation measures to reduce impacts, such as installing landfall cables within cable ducts installed using HDD technology. The Project will undertake a detailed Cable Burial Risk Assessment as part of its Cable Specification and Installation Plan which will be agreed with the MMO prior to construction</p>
Secretary of State decision making	EN-1 5.6.16	The Secretary of State should be satisfied that the proposed development will be resilient to coastal erosion and deposition, taking account of climate change, during the Project's operational life and any decommissioning period. Proposals which are at risk from coastal change, should be supported where it would result in climate resilient infrastructure.	<p>Full account has been taken of this policy in the ES accompanying the Project application (APP-055). Potential changes in climate are described in Chapter 31 Climate Change (APP-086) and are considered alongside predicted impacts.</p> <p>The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (APP-062). The assessment considers the potential for impacts associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location and sets out how the future baseline considers potential for a predicted increase in mean sea level and predicted decrease in wave energy are taken into account in the assessment.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.16 of EN-1.</p>

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	EN-1 5.6.17	The Secretary of State should not normally consent new development in areas of dynamic shorelines where the proposal could inhibit sediment flow or have an adverse impact on coastal processes at other locations. Impacts on coastal processes must be managed to minimise adverse impacts on other parts of the coast. Where such proposals are brought forward, consent should only be granted where the Secretary of State is satisfied that the benefits (including need) of the development outweigh the adverse impacts.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>As noted in the response to NPS EN-1 5.6.16 above, the proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change. In addition, the assessment of impacts associated with modifications to littoral transport and coastal behaviour concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p>
	EN-1 5.6.18	The Secretary of State should ensure that applicants have restoration plans for areas of foreshore disturbed by direct works and will undertake pre- and post-construction coastal monitoring arrangements with defined triggers for intervention and restoration.	<p>This assessment considers the nature of ongoing shoreline change at the Landfall and the potential for cables and other project infrastructure to impact coastal processes within Chapter 7 Marine Physical Processes (APP-062). A full description of coastal processes understanding at the Landfall is set out in Appendix 7.1 (AS-003).</p> <p>The Applicant has committed to provision of Construction Method Statements and a Cable Specification and Installation Plan within the Marine Licence Principles document (Document no. 9.12) which will capture the proposed approach to installation. An outline CSIP has been provided with the application (APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Pre construction and Post construction monitoring were both proposed conditions within the deemed marine licence and will require approval by the MMO.</p>
	EN-1 5.6.19	The Secretary of State should examine the broader context of coastal protection around the proposed site, and the influence in both directions, i.e., coast on site, and site on coast.	<p>The Baseline receiving environment, and the predicted impact of the proposed project on coastal processes (including coastal protection) and geomorphology is considered in Chapter 7 Marine Physical Processes (APP-062) and ES Chapter 7 Appendix 1 Physical Processes Technical Baseline (AS-003). The assessment considers the nature of ongoing shoreline change at the landfall and the potential for cables and other project infrastructure to impact coastal processes</p> <p>As noted in the response to NPS EN-1 5.6.1 – 5.6.3, historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The chapter concludes that there will be no significant effect as a result of the Project.</p>
	EN-1 5.6.20	The Secretary of State should consult the MMO on projects which could impact on coastal change in England, or NRW for projects in Wales, since the MMO or NRW may also be involved in considering other projects which may have related coastal impacts.	<p>Consultation regarding Marine Physical Processes has been conducted through the Evidence Plan Process (EPP) Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). ETG members included:</p> <ul style="list-style-type: none"> <li>▪ Marine Management Organisation (MMO)</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Natural England</li> <li>▪ Lincolnshire Wildlife Trust</li> <li>▪ Environment Agency</li> </ul> <p>An overview of the Project's Technical Consultation (ES Chapter 6 Technical Consultation APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p>
	EN-1 5.6.21 – 5.6.22	<p>In addition to this NPS, the Secretary of State must have regard to the appropriate marine policy documents, in taking any decision which relates to the exercise of any function capable of affecting any part of the UK marine area.</p> <p>The Secretary of State should also have regard to any relevant Shoreline Management Plans.</p>	<p>The Government's Marine Plans are considered within Section 2 of the relevant offshore topic chapters and the Planning Statement (APP-297), with focus on the East Inshore and East Offshore Marine Plans, where the Project is located. Where relevant policies from these marine plans are screened in, it is subsequently highlighted where these policies are addressed within the chapter.</p> <p>Section 7.4 of Chapter 7 Marine Physical Processes (APP-062) provides a detailed account of the NPS and MPS policy tests of relevance to the consideration of marine physical processes. Table 7.1 specifically provides reference to the relevant SMP (Environment Agency (2019a), 'Saltfleet to Gibraltar Point Strategy'), which has been considered within the assessment.</p>
	EN-1 5.6.23	<p>Substantial weight should be attached to the risks of flooding and coastal erosion and the Secretary of State should be satisfied that The Applicant has taken full account of the policy on assessment and mitigation in paragraphs 4.3.1 to 4.3.9 of this NPS, taking account of the potential effects of climate change on these risks.</p>	<p>Potential changes in climate and erosion are described in Appendix 7.1 Physical Processes Technical Baseline (AS-003) and are considered alongside predicted changes identified in the assessment for each stage of the development in Chapter 7 Marine Physical Processes (APP-062).</p> <p>This includes potential impacts on coastal behaviour at the landfall site.</p> <p>The assessment concludes that the effect on the coast at the Project landfall is not significant in EIA terms. As such it is considered that the Project is in accordance with paragraph 5.6.23 of EN-1.</p>
<b>EN-1 Part 5.7: Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation</b>			
Dust, Odour, Artificial Light, Smoke, Steam, and Insect Infestation	EN-1 5.7.1	<p>During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. However, they are not regulated by the environmental permitting regime, so mitigation of these impacts will need to be included in the Development Consent Order.</p>	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074).</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The Applicant has provided a Statutory Nuisance Statement (APP-301) which draws upon the ES to consider the potential for statutory nuisance as set out in the Planning Statement (APP-297).</p> <p>The Project has also identified early possible sources of nuisance as part of the iterative site selection and design process that was undertaken at an early stage, which involved several rounds of consultation with statutory and non-statutory stakeholders. As a result, the most sensitive areas that could suffer from nuisance are located away from the Project's infrastructure elements (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p>

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			Throughout the ES, the Project proposes several mitigation measures to limit nuisance. For example, the Outline Code of Construction Practice (APP-268), and associated environmental management plans, will ensure that the Project complies with best practice measures and standard protocol to limit impacts from dust and artificial lighting.
	EN-1 5.7.3	Because of the potential effects of these emissions and infestation, and in view of the availability of the defence of statutory authority against nuisance claims described in Section 4.15, it is important that the potential for these impacts is considered by the applicant and Secretary of State.	<p>The potential for emissions of dust from the construction phase of the Project (including removal of temporary facilities and reinstatement of the land) are presented in Chapter 19 Onshore Air Quality (APP-074). The assessment of dust emissions considers the following works: demolition, earthwork, construction and track out. Further details of the dust assessment can be found within Volume 3, Annex 19.1: Construction Phase Dust Assessment Methodology (APP-176). With the use of effective mitigation measures, as outlined in Annex 19.1 (APP-176) residual effects are considered to be not significant in terms of the EIA Regulations.</p> <p>With the use of effective mitigation measures, as outlined in Outline Air Quality Management Plan (APP-270), including general works measures, earthworks, trackout and maintenance and monitoring of the site residual effects are considered to be not significant in terms of the EIA regulations.</p> <p>The Project will not give rise to emissions of odour, steam or smoke, or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>Chapter 28 Landscape and Visual Assessment (APP-083) provides a detailed assessment of the landscape and visual effects, including an assessment on the effects of visual amenity from the use of artificial lighting during the hours of darkness; no significant impacts will arise from the Project with appropriate mitigation measures put in place (as set out ion the Outline Code of Construction Practice (APP-268)).</p>
	EN-1 5.7.4	For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	<p>The Project has assessed the potential impacts on amenity within Chapter 29 Socio-Economic Characteristics (APP-084) and Chapter 25 Land Use (APP-080).</p> <p>Several long-distance and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however none will be closed temporarily without offering a diversion or alternative route as detailed in the Outline Public Access Management Plan (PAMP) (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p>
Applicant assessment	EN-1 5.7.5	The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke, and artificial light to have a detrimental impact on amenity, as part of the ES.	<p>The Project would not give rise to emissions of odour, steam or smoke or have the potential for insect infestation during any aspect of development that could have a detrimental impact on amenity.</p> <p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>
	EN-1 5.7.6	<p>In particular, the assessment provided by the Applicant should describe:</p> <ul style="list-style-type: none"> <li>▪ the type, quantity, and timing of emissions</li> <li>▪ aspects of the development which may give rise to emissions;</li> <li>▪ premises or locations that may be affected by the emissions;</li> <li>▪ effects of the emission on identified premises or locations;</li> </ul> <p>measures to be employed in preventing or mitigating the emissions</p>	<p>The response to NPS EN-1 5.7.3 confirms that no significant effects relating to dust or artificial lights are predicted in consideration of the different onshore activities and phases of the development with appropriate mitigation measures put in place (as set out in the Outline Code of Construction Practice (APP-268) and the Outline Air Quality Management Plan (APP-270),</p>

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	EN-1 5.7.7	The Applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	<p>The Applicant has undertaken consultation with the relevant local planning authority regarding the air quality assessment.</p> <p>Section 19.5 of Chapter 19 Onshore Air Quality (APP-074) outlines the scope of the air quality assessment, which has been informed by both national and local planning policy and guidance, which establish best practice and experience, as well as via the consultation process with relevant consultees. This is alongside advice provided within the Scoping Opinion from The Planning Inspectorate (The Planning Inspectorate, 2022).</p> <p>The air quality assessment and assessment of the effects of visual amenity from the use of artificial lighting during the hours of darkness were included within the Preliminary Environmental Information Report (PEIR), that was published in June 2023 as part of Statutory Consultation on the Project. Feedback from local planning authorities has been incorporated within the submitted ES chapters.</p>
Mitigation	EN-1 5.7.8	<p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated</li> <li>▪ lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material</li> </ul> <p>administrative: limiting operating times; restricting activities allowed on the site; implementing management plans</p>	The Applicant has committed to provision of Construction Method Statements alongside the CoCP and associated environmental management plans (including an Air Quality Management Plan, Pollution Prevention and Emergency Incident Response Plan), that capture the applicable requirements of Paragraph 5.7.8. The Applicant has also submitted information limiting operating times, restricting activities allowed on the site and implementing management plans within the Outline Code of Construction Practice (APP-268).
	EN-1 5.7.9	Construction should be undertaken in a way that reduces emissions, for example the use of low emission mobile plant during the construction, and demolition phases as appropriate, and consideration should be given to making these mandatory in Development Consent Order requirements.	<p>An Outline Code of Construction Practice (CoCP) (APP-268) is part of a suite of documents that support the DCO application submitted by the Applicant. The Outline CoCP sets out the general principles and management measures to be adopted during construction of the Onshore Infrastructure associated with the Project.</p> <p>A final CoCP will be produced and submitted to the relevant planning authority for approval prior to construction of the onshore infrastructure and will be in accordance with the principles established in the Outline CoCP. This is secured by Requirement 18 of the draft DCO (APP-303). The final CoCP will provide the mechanism to assure relevant regulatory authorities that environmental impacts associated with the construction of the Onshore Infrastructure will be controlled and mitigated.</p> <p>The majority of the detailed management measures to be captured in the CoCP are set out within the following respective outline environmental management plans</p> <ul style="list-style-type: none"> <li>▪ Outline Noise and Vibration Management Plan (APP-269)</li> <li>▪ Outline Air Quality Management Plan (APP-270)</li> <li>▪ Outline Soil Management Plan (APP-271)</li> <li>▪ Outline Pollution Prevention and Emergency Incident Response Plan (APP-272)</li> <li>▪ Outline Surface Water Drainage Strategy (APP-273)</li> <li>▪ Outline Site Waste Management Plan (APP-274)</li> </ul> <p>A Schedule of Mitigation (APP-287) is also provided with the DCO application, which provides a summary of the mitigation identified for the Project including embedded mitigation measures, which have been designed into the project</p>

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			For example, the Outline Air Quality Management Plan includes the proposal “Where feasible and commercially available, ensure equipment complies with the latest (Stage V) emission standards.”
	EN-1 5.7.10 – 5.7.11	Demolition considerations should be embedded into designs at the outset to enable demolition techniques to be adopted that remove the need for explosive demolition. A construction management plan may help clarify and secure mitigation.	<p>The Applicant has committed to provision of Construction Method Statements. No explosive demolition is proposed as part of the construction of the development.</p> <p>If UXO are identified on the seabed following pre-construction surveys the Applicant will apply for a separate marine licence.</p> <p>In respect of the decommissioning of the Project, DCO Requirement 24 requires the undertaker to notify the relevant planning authority of the date of the permanent cessation of commercial operation of the onshore transmission works and provides that following the cessation, an onshore decommissioning plan in respect of the onshore transmission works must be submitted to and approved by the relevant planning authority in consultation with the relevant highway authority and the relevant statutory nature conservation body. DCO Requirement requires an offshore decommissioning programme to be submitted to the Secretary of State prior to the commencement of offshore works.</p>
	EN-1 5.7.12	<p>The Secretary of State should satisfy itself that:</p> <ul style="list-style-type: none"> <li>an assessment of the potential for artificial light, dust, odour, smoke, steam, and insect infestation to have a detrimental impact on amenity has been carried out;</li> </ul> <p>that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts</p>	Management strategies proposed are adequate to minimise any detrimental impacts and are adequately secured within the DCO to ensure impacts are minimized. The potential for impacts to occur as a result of dust or artificial lighting have been assessed within the EIA process and significant effects are not predicted to occur. Appropriate mitigation is proposed through the CoCP (Outline Code of Construction Practice (CoCP) (APP-268)) and associated environmental management plans. The Project is therefore in accordance with NPS EN-1 paragraph 5.7.12
	EN-1 5.7.13-5.7.14	If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associated development) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should, disapply in whole or in part the defence through a provision in the DCO. Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, to secure certain mitigation measures.	<p>A Statutory Nuisance Statement (APP-301) details possible sources of any statutory nuisance and how this might be mitigated or limited, through embedded design or management measures.</p> <p>With appropriate measures in place (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans), it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation.</p> <p>Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p>
	EN-1 5.7.15	In particular, the Secretary of State should consider whether to require The Applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The	A Statutory Nuisance Statement (APP-301) details the possible sources of statutory nuisance and how this might be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise

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		Secretary of State should consider the need for such a scheme to reduce any loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	<p>potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the outline Code of Construction Practice (as proposed in the Outline Code of Construction Practice (CoCP) (APP-268) and associated environmental management plans). Requirement 18 (Code of construction practice) of the draft DCO (APP-303) provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. The code of construction practice must be implemented as approved.</p> <p>Some impact on amenity for local communities are unavoidable, however, mitigation is proposed to keep any impacts to a minimum.</p>
<b>EN-1 Part 5.8: Flood Risk</b>			
Flood Risk	EN-1 5.8.1 – 5.8.3	<p>Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial disruption and damage to property.</p> <p>The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management.</p> <p>The government’s Flood and Coastal Erosion Risk Management Policy Statement sets out our ambition to create a nation more resilient to future flood and coastal erosion risk. It outlines policies and actions which will accelerate progress to better protect and better prepare the country against flooding and coastal erosion. The industry should consider any updates to government policy and apply updated approaches as a matter of priority.</p>	<p>The potential hydrological receptors in the study area comprise the tidal and fluvial floodplain; various watercourses, including Main Rivers and ordinary watercourses or drains; groundwater; and the near-shore tidal waters of the North Sea. These receptors vary in their environmental sensitivity</p> <p>Chapter 24 Hydrology and Flood Risk (APP-079) concludes that through the implementation of mitigation measures, including those specified in the Outline Code of Construction Practice (APP-268), and a surface water drainage scheme for the OnSS to ensure the runoff rates to the surrounding water environment are managed at rates agreed with the relevant regulatory authority, it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p> <p>The assessment is informed by and supported by the information contained within the following flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul>
	EN-1 5.8.5 – 5.8.6	<p>Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; The Applicant and the Secretary of State should take account of the policy on climate change adaptation in Section 4.10.</p> <p>The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>Flood risk has also been considered for the life of the development (from the construction-decommissioning stages in the impact assessment within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). This includes consideration (not exhaustive) of a 20% increase in peak rainfall intensity for the construction phase and a consideration of a 25% increase in rainfall intensity for the operational phase.</p>

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	EN-1 5.8.7 – 5.8.8	<p>Where new energy infrastructure is, exceptionally, necessary in flood risk areas (for example where there are no reasonably available sites in areas at lower risk), policy aims to make it safe for its lifetime without increasing flood risk elsewhere and, where possible, by reducing flood risk overall. It should also be designed and constructed to remain operational in times of flood.</p> <p>Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are or will be at unacceptable risk of flooding, should be supported where it would result in climate-resilient infrastructure.</p>	<p>Flood risk has been a guiding influence on the siting of the onshore infrastructure and the Applicant has undertaken sequential testing as discussed in sections 8.3 (OnSS) and 9.2(Onshore ECC) of ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). The sequential test and exceptions Tests are included in the Flood Risk Assessments submitted alongside ES Chapter 24 Hydrology and Flood Risk (APP-079) as contained in Appendices 24.2 Flood Risk Assessment (Onshore ECC and 400kV cable corridor and 24.3 Flood Risk Assessment (OnSS) (APP-211 and APP-212 respectively).</p> <p>Whilst this is not possible for the entirety of the Project, the FRAs (see APP-211 and APP-212) demonstrate that, as a result of the proposed mitigation, the Project will not result in significant effects with respect to flood risk.</p>
	EN-1 5.8.9 – 5.8.11	<p>If, following application of the Sequential Test, it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied as defined in <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2">https://www.gov.uk/guidance/flood-risk-and-coastal-change#table2</a>. The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.</p> <p>The Exception Test is only appropriate for use where the Sequential Test alone cannot deliver an acceptable site. It would only be appropriate to move onto the Exception Test when the Sequential Test has identified reasonably available, lower risk sites appropriate for the proposed development where, accounting for wider sustainable development objectives, application of relevant policies would provide a clear reason for refusing development in any alternative locations identified. Examples could include alternative site(s) that are subject to national designations such as landscape, heritage and nature conservation designations, for example AONBs, SSSIs and World Heritage Sites (WHS) which would not usually be considered appropriate.</p> <p>Both elements of the Exception Test will have to be satisfied for development to be consented. To pass the Exception Test it should be demonstrated that:</p> <ul style="list-style-type: none"> <li>▪ the project would provide wider sustainability benefits to the community that outweigh flood risk; and</li> </ul> <p>the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.</p>	<p>ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines that flood risk has been a guiding influence on the siting of the OnSS (see Sections 8.3 and 9.2 for discussion on the OnSS and Onshore ECC respectively within the chapter.)</p> <p>Flood Risk reporting has been undertaken within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>Sections of the OnSS and ECC are located within flood zones 2 and 3. Therefore, in line with statutory guidance the sequential and exception tests have been applied within the above FRAs, which both conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <p>With regard to the OnSS, the area within the vicinity of the connection point is characterised by Flood Zone 3, with only a small number of pocket areas which are designated as Flood Zone 1 and 2. There were no sites large enough of flood zone 1 and 2 to accommodate the OnSS in its entirety. Each of the pocket areas were reviewed, and in comparison to the adopted site, were either considered to have a higher flood risk due to their proximity to the River Welland (and therefore at higher flood risk in a breach scenario). ; or, were unable to accommodate the OnSS due to size constraints. The Applicant, while not able to wholly apportion their site on flood risk zone 1 or 2, continued to consider the small pockets of lower flood risk while also consulting supporting data and materials to aid in a site definition with the best possible flood resilience and did identify a suitable site partially in flood zone 2</p>
	EN-1 5.8.12	<p>Development should be designed to ensure there is no increase in flood risk elsewhere, accounting for the predicted impacts of climate change throughout the lifetime of the development. There should be no net loss of floodplain storage and any deflection or constriction of flood flow routes should be safely managed within the site. Mitigation measures should make as much use as possible of natural flood management techniques</p>	<p>With regard to the onshore ECC, given the extent of flood zone 3 between the landfall and connection point, locating the onshore ECC outside of this flood zone would require a significant diversion (with an approximate 20km of additional cable) which would not be technically deliverable.</p> <p>The Project is an NSIP for renewable energy generation and so demonstrates wider sustainability benefits to the community that outweigh flood risk. As such it is considered that the first part of the Exception Test is passed.</p> <p>The flood risk modelling (as set out in the FRAs) has shown that during the operational phase of the onshore ECC, the Project will not be at risk of flooding, and will not increase flood risk elsewhere. The onshore ECC will only be at potential risk of flooding during the construction phase, which could lead to a temporary increase in flood risk elsewhere during this phase. It is proposed that this is managed through</p>

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			<p>appropriate mitigation measures comprising a Flood Management and Response Plan and Surface Water Drainage Strategy for the construction phase which will be submitted as part of the final CoCP.</p> <p>Based on the outcomes of the modelling undertaken and the findings of this as presented in Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212, including the mitigation measures outlined in the FRA (including design elements and an evacuation, access and egress measures), it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere.</p> <p>This is following the proposed mitigation which includes an Outline Surface Water Drainage Strategy (SWDS) (document APP-273) and an Outline Code of Construction Practice (document APP-268) which set out the principles and protocols to address potential drainage and flooding issues.</p> <p>As summarised above, with further detail provided within the respective FRAs it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, meeting the requirements of the Exception Test.</p>
Applicant Assessment	EN-1 5.8.13 – 5.8.14	<p>A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving:</p> <ul style="list-style-type: none"> <li>▪ sites of 1 hectare or more;</li> <li>▪ land which has been identified by the EA or NRW as having critical drainage problems;</li> <li>▪ land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future;</li> <li>▪ land that may be subject to other sources of flooding (for example surface water);</li> <li>▪ where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.</li> </ul> <p>This assessment should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.</p>	<p>The Applicant has submitted site specific flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212);</li> </ul> <p>The FRAs identify the baseline context, the potential sources of flood, a detailed assessment of the flood risk and proposed mitigation demonstrating how flood risk has been managed. Section 24.1.5 of the Onshore ECC and 400kV cable corridor and section 24.4 of the Onshore Substation FRA set out how climate change has been taken into account.</p>
	EN-1 5.8.15	<p>The minimum requirements for Flood Risk Assessments (FRA are that they should:</p> <ul style="list-style-type: none"> <li>▪ be proportionate to the risk and appropriate to the scale, nature, and location of the project;</li> <li>▪ consider the risk of flooding arising from the project in addition to the risk of flooding to the project;</li> <li>▪ take the impacts of climate change into account, across a range of climate scenarios, clearly stating the development lifetime over which the assessment has been made;</li> </ul>	<p>Flood Risk Assessment reporting has been undertaken in consultation with the EA and Local Authorities, compliant to NPS EN-1, paragraph 5.8.15, this is included in Chapter 24 Hydrology and Flood Risk (APP-079), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p> <p>The two FRAs consider the OnSS and onshore ECC separately and both assessment meets the minimum requirements for Flood Risk Assessments as outlined in Paragraph 5.8.15.</p> <p>Consultation regarding flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022), and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023).</p>

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		<ul style="list-style-type: none"> <li>▪ be undertaken by competent people, as early as possible in the process of preparing the proposal;</li> <li>▪ consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure and exceedance;</li> <li>▪ consider the vulnerability of those using the site, including arrangements for safe access and escape;</li> <li>▪ consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard, and duration;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management;</li> <li>▪ consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes;</li> <li>▪ include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding;</li> <li>▪ consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the Project may affect drainage systems. Information should include: <ul style="list-style-type: none"> <li>i. Describe the existing surface water drainage arrangements for the site;</li> <li>ii. Set out (approximately) the existing rates and volumes of surface water run-off generated by the site. Detail the proposals for restricting discharge rates;</li> <li>iii. Set out proposals for managing and discharging surface water from the site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why their inclusion would be inappropriate;</li> <li>iv. Demonstrate how the hierarchy of drainage options has been followed.</li> <li>v. Explain and justify why the types of SuDs and method of discharge have been selected and why they are considered appropriate.</li> </ul> </li> </ul>	

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		<ul style="list-style-type: none"> <li>vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site</li> <li>vii. Describe the multifunctional benefits the sustainable drainage system will provide;</li> <li>viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system;</li> <li>ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere;</li> <li>x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans for ensuring an acceptable standard of operation and maintenance throughout the lifetime of the development. <ul style="list-style-type: none"> <li>▪ detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere;</li> <li>▪ identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and</li> </ul> </li> </ul> <p>be supported by appropriate data and information, including historical information on previous events.</p>	
	EN-1 5.8.16	Further guidance can be found in the Planning Practice Guidance Flood Risk and Coastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	Chapter 24 Hydrology and Flood Risk (APP-079) considers relevant policy alongside the NPPF , along with guidance contained within PPG
	EN-1 5.8.17	<p>Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure:</p> <ul style="list-style-type: none"> <li>▪ Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary</li> <li>▪ Their standard of protection is not reduced</li> </ul> <p>Their condition or structural integrity is not reduced</p>	As stated in Chapter 24 Hydrology and Flood Risk (APP-079), the requirements within Paragraph 5.8.17 of EN-1 have been accounted for via the Project's design including the routing of the Onshore ECC and design of key crossing points (flood defence structures, Main Rivers, non-main and ordinary watercourses, IDB watercourses, roads, utilities, etc.), including the use of Trenchless techniques to avoid key areas of sensitivity.
	EN-1 5.8.18 – 5.8.20	<p>Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions before the official pre-application stage of the NSIP process with the EA or NRW, and, where relevant, other bodies such as Lead Local Flood Authorities, Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators.</p> <p>Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the Secretary of State to reach a decision on the application when it is submitted. The Secretary of State should advise applicants to undertake these steps where they appear necessary but have not yet been addressed.</p> <p>If the EA, NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, The Applicant should discuss these concerns with the EA or NRW and take all reasonable steps to agree ways in which the proposal</p>	<p>Consultation regarding hydrology, hydrogeology and flood risk has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Chapter 6 Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032).</p> <p>The Environment Agency has been the main consultee in relation to the flood resilience requirements for the OnSS and the modelling that was required in order to determine the maximum depth to be considered in the OnSS design. Consultation with Environment Agency was undertaken as part of the EPP, as set out in Chapter 24 Hydrology and Flood Risk (APP-079).</p>

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		might be amended, or additional information provided, which would satisfy the authority's concerns.	
	EN-1 5.8.21 5.8.23	<p>The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas.</p> <p>The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test.</p> <p>Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.3 above. All projects should apply the Sequential Test to locating development within the site.</p>	<p>The response to NPS EN-1 5.8.9 – 5.8.11 summarises the approach to the sequential test that has been taken by the applicant with regard to the OnSS and onshore ECC. Full details of the sequential test are provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), Onshore ECC and 400kV cable corridor (APP-211), and ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212).</p>
Mitigation	EN-1 5.8.24 – 5.8.25	<p>To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.</p> <p>In this NPS, the term SuDS refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate:</p> <ul style="list-style-type: none"> <li>▪ source control measures including rainwater recycling and drainage;</li> <li>▪ infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities;</li> <li>▪ filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns;</li> <li>▪ filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed;</li> <li>▪ basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding;</li> </ul> <p>flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.</p>	<p>The Project employs sustainable approaches to surface water drainage. This includes the design of the OnSS which incorporates a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the OnSS location and will not increase flood risk locally or in the wider area. For further detail relating to sustainable drainage during construction see the Outline Surface Water Drainage Strategy (APP-273). The final Surface Water Drainage Strategy will be developed according to the principles of the SuDS discharge hierarchy. Generally, the aim will be to discharge surface water runoff as high up the following hierarchy of drainage options as reasonably practicable:</p> <ul style="list-style-type: none"> <li>▪ Into the ground (infiltration);</li> <li>▪ To a surface waterbody;</li> <li>▪ To a surface water sewer, highway drain or another drainage system; or</li> <li>▪ To a combined sewer.</li> </ul> <p>An Outline Operational Drainage Management Plan (APP-286), has also been provided for the OnSS which sets out high level principles for managing surface water on the OnSS in line with best practice and the requirements of Lincolnshire County Council as the Lead Local Flood Authority (LLFA). It is proposed that impermeable surfaces within the proposed OnSS development will drain surface water via gravity to a swale running along the northern, north-eastern and north-western perimeter of the Site. This swale will serve as the primary attenuation feature for the OnSS but will also act as a conveyance feature for surface water runoff draining to the receptor, Risegate Eau. Furthermore, the swale will also satisfy water quality requirements by treating and removing contaminants from runoff prior to discharge, while also encouraging percolation of runoff to the ground. Due to the build-up of the OnSS platform, as part of the potential design additional capacity for surface water attenuation could be provided within the platform. The proposed drainage strategy demonstrates there is sufficient space and capacity at the OnSS to provide an adequate drainage system to required discharge rates. The strategy presented in the Outline Operational Drainage Management Plan (APP-286) will be developed through the detailed design process and the final plan (which is secured by requirement 15 of the draft DCO (APP-303)) will be subject to relevant approvals and refinement before construction commences.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.8.26 – 5.8.29	<p>Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.</p> <p>The surface water drainage arrangements for any project should, accounting for the predicted impacts of climate change throughout the development's lifetime, be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.</p> <p>It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary, through the use of a planning obligation.</p> <p>The sequential approach should be applied to the layout and design of the project. Vulnerable aspects of the development should be located on parts of the site at lower risk and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.</p>	<p>Surface water management has been addressed during the construction phase within an Outline Surface Water Drainage Strategy (APP-273) provided as part of the Outline Code of Construction Practice (APP-268).</p> <p>Surface water management during the operational phase of the OnSS has been addressed within an Outline Operational Drainage Management Plan (APP-286). The Outline Operational Drainage Management Plan accounts for anticipated changes in peak rainfall intensity over the anticipated lifetime of development.</p> <p>The detailed (post consent) design of the surface water drainage scheme would be informed by a series of infiltration/soakaway tests carried out on site and the maximum potential attenuation volumes that are outlined in the Outline Surface Water Drainage Strategy (APP-273).</p> <p>The location of the OnSS and wider local area are underlain by bedrock geology comprising Oxford Clay Formation – Mudstone, and superficial deposits comprising Tidal Flat Deposits – Clay and Silt. Furthermore, due to the site's proximity to the tidal River Welland, the ground is likely to comprise a high water table, particularly during high tides. As such, discharge of surface water runoff from the OnSS to ground via infiltration is likely to be infeasible.</p> <p>The existing OnSS surface water runoff is understood to generally run in a south-easterly direction before spilling into an existing field drainage ditch. On the basis that the proposed OnSS will be situated close to Risegate Eau, and given that the local topography is essentially flat, the preferred method of drainage is to discharge at a restricted rate to Risegate Eau, which falls under the management of Welland &amp; Deepings IDB. The proposed drainage strategy will therefore need to demonstrate there is sufficient space and capacity on the OnSS to provide an adequate drainage system to required discharge rates. The Outline Operational Drainage Management Plan proposes the use of swales and underground attenuation in order to achieve the desired discharge rates.</p>
	EN-1 5.8.30 – 5.8.32	<p>Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided.</p> <p>Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site.</p> <p>Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a valuable contribution to mitigating this risk whilst providing wider benefits.</p>	<p>ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (APP-212) reports that as part of the results analysis for the hydraulic modelling, and following discussions with the Environment Agency to determine their assessment requirements, a comparison of the flood hazard rating between the baseline existing conditions and post-development scenario has been made.</p> <p>The results demonstrate an increase in hazard rating across a number of small areas within the vicinity of the OnSS relating to a small number of properties. At all but one property the increase in peak flood depth is less than 20mm. Given how remote these increases are from the development, these are considered more likely to represent acceptable anomalies within the hydraulic modelling, rather than actual changes that would occur in the event of a breach scenario.</p> <p>Even if the above increases were considered as actual effects of the development, and not anomalies in the model, it is important to note that this risk would still be residual. The assessment has been based on a more onerous 0.1% Annual Exceedance Probability (AEP) plus climate change flood event in conjunction with a breach of the flood defences occurring. Given that the flood defences are inspected and maintained, the eventuality of this scenario occurring is small and it is concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere. As such, the impact on flood risk is not predicted to be significant in EIA terms.</p>

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	EN-1 5.8.33	The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding.	The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO. This would include a procedure for securing sensitive equipment and/or relocating materials stored in bulk.
	EN-1 5.8.34	The Applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	The FRAs for the OnSS and onshore ECC (APP-211 and APP-212) have been undertaken in consultation with the Environment Agency and local authorities which includes consideration of emergency planning documents, flood warning and evacuation procedures. The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent and will form part of the Code of Construction Practice to be submitted under requirement 18 of the draft DCO.
	EN-1 5.8.35	Flood resistant and resilient materials and design should be adopted to minimise damage and speed recovery in the event of a flood.	Table 24.19 of Chapter 24 Hydrology and Flood Risk (APP-079) provide an overview of proposed mitigation in relation to flood risk, which includes the use of water resilient and resistant materials. Regarding the onshore project infrastructure, cable entry and exit points within transition pits and cable junction bays will be sealed with an appropriate water proofing material to mitigate flood risk.
Secretary of State decision making	EN-1 5.8.36	<p>In determining an application for development consent, the Secretary of State should be satisfied that where relevant:</p> <ul style="list-style-type: none"> <li>▪ the application is supported by an appropriate FRA;</li> <li>▪ the Sequential Test has been applied and satisfied as part of site selection;</li> <li>▪ a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk;</li> <li>▪ the proposal is in line with any relevant national and local flood risk management strategy;</li> <li>▪ SuDS (as required in the next paragraph on National Standards) have been used unless there is clear evidence that their use would be inappropriate;</li> <li>▪ in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in paragraph 5.8.42);</li> <li>▪ the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development;</li> </ul> <p>land that is likely to be needed for present or future flood risk management infrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation, or maintenance.</p>	<p>Flood risk has been considered for the life of the development in Section 24.7 of Chapter 24 Hydrology and Flood Risk (APP-079) and the accompanying Flood Risk Assessments. The characterisation of the flood risk Baseline and future Baseline has been established using the Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments and data from hydraulic models, which take into account climate change effects.</p> <p>FRA reporting (APP-211 and APP-212) has been undertaken in consultation with the Environment Agency and local authorities which includes consideration and application of the sequential approach within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Based upon detail provided within the respective FRAs (Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).), it can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p> <p>The OnSS design includes a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area, as detailed in the Outline Operational Drainage Management Plan (APP-286).</p> <p>The Project has committed to the preparation of a Flood Management and Response Plan setting out actions in the event of flooding or a flood warning during construction works. This will be prepared post-consent.</p> <p>Overall, through the implementation of mitigation measures, including those specified in the CoCP (APP-268), it is considered that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p>
	EN-1 5.8.37 – 5.8.39	For energy projects which have drainage implications, approval for the project's drainage system, including during the construction period, will form part of the development consent issued by the Secretary of State. The Secretary of State will therefore need to be satisfied that the proposed drainage system complies with any	As outlined in Chapter 24 Hydrology and Flood Risk (APP-079), the OnSS design will include a SuDS based surface water drainage scheme which would manage rainfall runoff from the proposed OnSS and will not increase flood risk locally or in the wider area.

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		<p>National Standards published by Ministers under paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.</p> <p>In addition, the development consent order, or any associated planning obligations, will need to make provision for appropriate operation and maintenance of any SuDS throughout the project's lifetime. Where this is secured through the adoption of any SuDS features, any necessary access rights to property will need to be granted.</p> <p>Where relevant, the Secretary of State should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and sewerage company (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.</p>	<p>The surface water drainage scheme is required to ensure the existing runoff rates to the surrounding water environment are maintained at pre-development rates.</p> <p>The detailed (post-consent) design of the surface water drainage scheme would be informed by infiltration/soakaway tests carried out on site and the required attenuation volumes will be outlined in the supporting Flood Risk Assessment OnSS (APP-212).</p> <p>Further details with respect to drainage are contained within the Outline Operational Drainage Management Plan (APP-286) and the OCoCP (APP-268). The Outline ODMP for the OnSS has been prepared in accordance with guidance presented within the National Planning Policy Framework (NPPF)<sup>1</sup> and its associated Planning Practice Guidance (PPG)<sup>2</sup>, taking due account of current best practice documents relating to assessment of flood risk published by the British Standards Institution BS8533</p> <p>DCO Requirement 15 (Operational drainage management plan) prevents construction of the onshore HVAC substation from commencing until an operational drainage management plan in respect of works (which accords with the outline operational drainage management plan) has been submitted to and approved by the relevant planning authority, in consultation with the lead local flood authority (being Lincolnshire County Council) and the Environment Agency. The plan must include provision for the maintenance of any measures identified and must be implemented as approved</p>
	EN-1 5.8.40	<p>If the EA, NRW or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by The Applicant and the authority to try to resolve the concerns.</p>	<p>Chapter 24 Hydrology and Flood Risk (APP-079), the EA have been consulted and have provided a scoping response. The Project has drawn upon advice within the scoping response and sought to include any proposals within the scheme. At this current date, there are no concerns that have been raised by the EA that have not been addressed.</p> <p>The EA will be consulted by the relevant planning authority with regard to the consideration and approval of details to meet DCO Requirements 15 (Operational drainage management plan) and Requirement 18 (Code of construction practice), and so will be given the opportunity to review and comment on detailed design proposals for the management of surface water during construction and operation.</p>
	EN-1 5.8.41 – 5.8.42	<p>Energy projects should not normally be consented within Flood Zone 3b, or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. This may also apply where land is subject to other sources of flooding (for example surface water). However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage and will not impede water flows.</p> <p>Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the Secretary of State may grant consent if they are satisfied that the increase in present and future flood risk can be mitigated to an acceptable and safe level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the Secretary of State should make clear how, in reaching their decision, they have weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA or NRW and other relevant bodies.</p>	<p>The response to 5.8.9 – 5.8.11 provides a summary of the consideration of sequential and exception test by the Applicant, with further information provided in</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059),</li> <li>▪ Chapter 24 Hydrology and Flood Risk (APP-079)</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul> <p>It can be concluded that the Project would be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk overall, thus meeting the requirements of the Exception Test.</p>

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EN-1 Part 5.9: Historic environment			
Historic Environment	EN-1 5.9.1 – 5.9.4	<p>The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground.</p> <p>The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, landscaped and planted or managed flora.</p> <p>Those elements of the historic environment that hold value to this and future generations because of their historic, archaeological, architectural or artistic interest are called ‘heritage assets’. Heritage assets may be buildings, monuments, sites, places, areas or landscapes, or any combination of these. The sum of the heritage interests that a heritage asset holds is referred to as its significance. Significance derives not only from a heritage asset’s physical presence, but also from its setting.</p> <p>Some heritage assets have a level of significance that justifies official designation. Categories of designated heritage assets are:</p> <ul style="list-style-type: none"> <li>▪ World Heritage Sites</li> <li>▪ Scheduled Monuments</li> <li>▪ Protected Wreck Sites</li> <li>▪ Protected Military Remains</li> <li>▪ Listed Buildings</li> <li>▪ Registered Parks and Gardens</li> <li>▪ Registered Battlefields</li> <li>▪ Conservation Areas</li> </ul> <p>Registered Historic Landscapes (Wales only).</p>	<p>ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) consider the designated heritage assets outlined in Paragraphs 5.9.1 – 5.9.4 of EN-1 and outline that the Project will not result in any adverse significant effects to heritage assets.</p> <p>A review of heritage assets has identified known and anticipated onshore archaeological remains within the Order Limits which may be susceptible to direct impacts. It has also identified built heritage receptors within the vicinity of the Order Limits which may be sensitive to setting change. The assessment of archaeological potential was aided by deposit modelling and field evaluation comprising a watching brief of site investigations and geophysical survey.</p> <p>The offshore assessment is informed by a desk-based review of the known marine archaeological and cultural heritages receptors and a geophysical assessment. All known and potential marine heritage receptors in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in ES Chapter 13 Appendix 1 Marine and Intertidal Archaeology Technical Report (APP-167).</p> <p>The onshore Archaeological DBA (APP-180 to APP-187) sets out an archaeological background to understand the archaeological sensitivity of the Order Limits. The DBA identifies potential heritage assets of an archaeological nature located within the Order Limits and describes their significance, in accordance with the requirement under National Planning Policy Framework (NPPF 2023). No designated archaeological remains would be physically affected by the Project.</p> <p>ES Chapter 20 Appendix 2 Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project’s Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 .</p>
	EN-1 5.9.5	<p>There are heritage assets that are not currently designated, but which have been demonstrated to be of equivalent significance to designated heritage assets of the highest significance. These are:</p> <ul style="list-style-type: none"> <li>▪ those that the Secretary of State has recognised as being capable of being designated as a Scheduled Monument or Protected Wreck Site but has decided not to designate;</li> <li>▪ those that the Secretary of State has recognised as being of equivalent significance to Scheduled Monuments or Protected Wreck Sites but are incapable of being designated by virtue of being outside the scope of the related legislation.</li> </ul> <p>those that have yet to be formally assessed by the Secretary of State, but which have potential to demonstrate equivalent significance to Scheduled Monuments or Protected Wreck Sites.</p>	<p>An Outline Onshore WSI (APP-283) and Outline Marine Archaeological WSI (APP-282) have been provided in support of the application. The requirements and conditions set out in the DCO and DMLs ensure the submission of onshore and offshore WSIs respectively which are to accord with the outline plans.</p> <p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	EN-1 5.9.6	Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to Scheduled Monuments or Protected Wreck Sites should be considered subject to the policies for designated heritage assets. The absence of	Effects on designated and non-designated heritage assets are considered in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).

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		designation for such heritage assets does not indicate lower significance or necessarily imply that it is not of national importance.	The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.
	EN-1 5.9.7 – 5.9.8	The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either through the development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets. Impacts on heritage assets specific to types of infrastructure are included in the technology specific NPSs.	No significant impacts to non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall.  In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts. On this basis there would be no residual significant effects to non-designated archaeological remains.  With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.
Applicant Assessment	EN-1 5.9.9	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 (see Section 4.3). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment. The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	Effects on designated and non-designated heritage assets have been considered within Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075). This includes assets above, at and below ground level. Consideration is given to the possible impacts, including cumulative, on the wider historic environment.  Onshore mitigation measures are set out in the OWSI for Archaeological Work (APP-283). These comprise the standard suite of archaeological mitigation works including set piece excavation, strip, map and sample, watching briefs and preservation in situ. Mitigation options will be deployed in response to the results of archaeological evaluation also set out within the OWSI.  Offshore mitigation measures are set out in the Outline Marine Archaeological WSI (APP-282) and include archaeological exclusion zones, micrositing and adherence to a protocol for archaeological discoveries.  ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), supported by the onshore DBA (APP-180 to APP-187) and the Heritage Statement (APP-188), provide a sufficient level of information to understand the likely significant heritage impacts. Assets above, at and below ground have been considered and impact to Historic Landscape Character has been assessed. Impacts are presented in section 20.7. of ES Chapter 20
	EN-1 5.9.10	As part of the ES the Applicant should provide a description of the significance of the heritage assets affected by the proposed development, including any contribution made by their setting. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum, the Applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	All known and unknown heritage assets in the marine zone that may be affected by the Project and their archaeological significance have been described in detail in Volume 3, Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Section 13.4 of Chapter 13 Marine and Intertidal Archaeology (APP-068). Potential offshore impacts on the Historic Environment of the Project is discussed in Section 13.9 and Section 13.13 of Chapter 13 Marine and Intertidal Archaeology (APP-068).  The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.  The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023)

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			<p>paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>Effects on designated and non-designated heritage assets have been considered in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) and ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p> <p>The assessment presented has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Both onshore and offshore assessments conclude there will not be any residual significant direct or indirect effects following the implementation of design measures at detailed design stage. Written Scheme of Investigations (WSIs), are proposed for both onshore and offshore elements and outline WSIs are provided within the submission documents.</p> <p>Consultation regarding Marine and Intertidal Archaeology and Onshore Archaeology and Cultural Heritage has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings; the Marine and Onshore Archaeology and Cultural Heritage ETG included Historic England, Maritime Archaeology, the MMO and Lincolnshire County Council. (LCC)</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Bilateral engagement with relevant stakeholders including Historic England and the LCC</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and,</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project consultation process is presented within the Consultation Report (APP-032)</p>
	<p>EN-1 5.9.11</p>	<p>Where a site on which development is proposed includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, The Applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, accurate representative visualisations may be necessary to explain the impact.</p>	<p>Marine archaeological and cultural heritage receptors and the archaeological potential within the marine archaeology s Study Area have been considered and assessed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167). This is informed by desk study and geophysical survey information.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. Field based surveys and desk-based research have been undertaken to inform the assessment.</p> <p>The DBA references the results of field evaluation comprising a watching brief of Site Investigations, magnetometer geophysical survey and electromagnetic geophysical survey. This is in accordance with the NPPF (paragraph 194) and EN-1 (paragraph 5.9.11).</p> <p>It is noted that the targeted geophysical survey has included the footprint of the Transition Joint Bay, the only part of the Order Limits where significant impacts may have been predicted on the basis of historic</p>

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			<p>geography and archaeological potential but where a potential for preservation in situ is not possible (see ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the schedule of Mitigation (APP-287).</p> <p>At all other locations within the Order Limits where significant impacts could occur (in reference to historic geography and resulting archaeological potential) the indicative onshore infrastructure as set out in ES Chapter 3 Project Description Figures (APP-089) Figure 3.4 and the Schedule of Mitigation (document APP-287) provide for the preservation in situ of remains of national importance should it be required</p> <p>Further geophysical survey has been and trial trenching will be carried out post EIA as well as post consent works set out within the Outline Onshore WSI (APP-283). These works will support the preservation in-situ of remains of national importance commitment. In these circumstances the baseline presented is considered adequate for the determination of the DCO.</p> <p>Visualisations of the OnSS are provided and include computer generated images of the proposals from viewpoints relevant to heritage assets, LVIA chapter, Chapter 28 Landscape and Visual Assessment (APP-083).</p>
	<p>EN-1 5.9.12</p>	<p>The Applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent, and detail of these studies will be proportionate to the significance of the heritage asset affected.</p>	<p>The assessment has recognised the need to understand the effects on the heritage significance of heritage assets and/or significant places. The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The archaeological significance and potential impact, including positive contribution, on the marine archaeological receptors identified within the marine archaeology Study Area was undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The Chapter sets out the MDS and relevant activities that may impact marine archaeological and cultural heritage receptors. The chapter also details further information how marine archaeological and cultural heritage receptors may be affected.</p> <p>The assessment presented in Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) has regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves. The information provided within the Heritage Statement (APP-188) and the onshore Archaeological DBA (APP-180 to APP-187) provides for an understanding of which assets may experience adverse impact/harm. The assessment of effects to setting which may include the consideration of lighting and noise changes has been considered. It is therefore considered that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents</p>
	<p>EN-1 5.9.13</p>	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA</p>

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		<ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p>
	EN-1  5.9.14	Careful consideration in preparing the scheme will be required on whether the impacts on the historic environment will be direct or indirect, temporary, or permanent.	<p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
	EN-1  5.9.13	<p>The Applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution to the historic environment, and to consider how their scheme takes account of the significance of heritage assets affected. This can include, where possible:</p> <ul style="list-style-type: none"> <li>▪ enhancing, through a range of measures such a sensitive design, the significance of heritage assets or setting affected;</li> <li>▪ considering where required the development of archive capacity which could deliver significant public benefits;</li> <li>▪ considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme.</li> </ul>	<p>The proposals would not cause any new development within a Conservation Area or a World Heritage Site and whilst the setting of other heritage assets may be affected, the nature of the development does not allow opportunities to enhance or better reveal the significance of those assets. Nevertheless, the EIA namely Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) has not identified any significant impacts through setting change and have sought to minimise any permanent harm of a less than substantial nature associated with the OnSS through mitigation screening.</p> <p>The nature of the proposals therefore does not offer opportunities for the direct enhancement of known heritage assets. . Public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger. The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during</p>

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			<p>the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI.</p> <p>Chapter 20 Onshore Archaeology and Cultural Heritage of the EIA (APP-075) considers the visual and noise impacts of the Project on heritage assets.</p>
Mitigation	EN-1 5.9.16 – 5.9.18	<p>A documentary record of our past is not as valuable as retaining the heritage asset, and therefore the ability to record evidence of the asset should not be a factor in deciding whether such loss should be permitted, and whether or not consent should be given.</p> <p>Where the loss of the whole or part of a heritage asset’s significance is justified, the Secretary of State will require The Applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset’s importance and significance and the impact. The Applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.</p> <p>Where appropriate, the Secretary of State will impose requirements on the Development Consent Order to ensure that the work is undertaken in a timely manner, in accordance with a written scheme of investigation that complies with the policy in this NPS and which has been agreed in writing with the relevant local authority, and to ensure that the completion of the exercise is properly secured.</p>	<p>Requirement 17 of the draft DCO requires the Applicant to submit a WSI in accordance with the provisions set out in the Outline WSI (APP-283) and for provision to be made for the analysis, publication and dissemination of results and archive deposition.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The outline Onshore WSI notes that preservation in situ could be achieved through the micro-siting of launch and receive pits within cable installation compounds, trenchless construction techniques to avoid an open cut and easement stripping for cable installation and no-dig methods at compounds and temporary haul roads where standoffs or bog matting could be utilised respectively</p> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority.</p> <p>The archaeological work set out within the OWSI would provide for the recording of archaeological remains prior to the commencement of the development or during the construction of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSI. Requirement 17 (Onshore archaeology) within the draft DCO (APP-303) provides that the relevant stage of the onshore works may not commence until a written scheme of archaeological investigation (which must accord with the outline onshore written scheme of investigation for archaeological works) has been submitted to and approved by Lincolnshire County Council in consultation with the relevant planning authority and Historic England. Thereafter the scheme must be undertaken in accordance with the approved details. Requirement 17 makes provision for analysis, publication and dissemination of results and archive deposition of any archaeological site investigations.</p> <p>The offshore WSI is secured through a condition of the deemed marine licence (Pre-construction plans and documentation) and will require approval in consultation with Historic England. The condition provides that the activities permitted by the marine licence may not commence until a written scheme of archaeological investigation (which must accord with the outline marine archaeological written scheme of investigation) has been submitted to and approved by the MMO.</p>
	EN-1 5.9.19 – 5.9.21	<p>Where the loss of significance of any heritage asset has been justified by The Applicant on the merits of the new development and the significance of the asset in question, the Secretary of State should consider:</p> <ul style="list-style-type: none"> <li>▪ imposing a requirement in the DCO</li> <li>▪ requiring The Applicant to enter into an obligation</li> </ul>	<p>The offshore assessment provided in ES Chapter 13 Marine and Intertidal Archaeology (APP-068) concludes that throughout the construction, operation and maintenance and decommissioning phases, there is no loss of significance of any heritage assets with no additional mitigation measures identified.</p> <p>The Project has committed to undertaking a Marine Written Scheme of Investigation which will be agreed with relevant parties and appropriate mitigation measures defined where necessary. Further</p>

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		<p>That will prevent the loss occurring until the relevant part of the development has commenced, or it is reasonably certain that the relevant part of the development is to proceed.</p> <p>Where there is a high probability (based on an adequate assessment) that a development site may include, as yet undiscovered heritage assets with archaeological interest, the Secretary of State will consider requirements to ensure appropriate procedures are in place for the identification and treatment of such assets discovered during construction.</p>	<p>mitigation measures include all intrusive activities undertaken during the life of the Project will be routed and microsited to avoid any identified Historic Environment receptors pre-construction, with Archaeological Exclusion Zones unless other mitigation is agreed with Historic England. Additional unknown or unexpected archaeological and cultural heritage receptors identified during the Project stages will be reported utilising the Project specific Protocol for Archaeological Discoveries. Additionally offshore geophysical surveys (including UXO surveys) and offshore geotechnical campaigns undertaken pre-construction will be subject to full archaeological review, where relevant, in consultation with Historic England. A post-construction monitoring plan will be developed.</p> <p>The onshore assessment provided in ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project. The potential impact to non-designated remains of potential equivalence to a Scheduled Monument has been avoided in respect to Slackholme deserted medieval village (HER MLI99418), near Hogsthorpe. This would be avoided through the use of trenchless techniques.</p> <p>No loss of significance of non-designated archaeological remains are predicted where preservation in situ is not possible, namely the location of the OnSS and the location of the TJB at landfall. In all instances, where significant impacts to non-designated remains are possible along the onshore ECC, the implementation of design measures at the detailed design stage to reference trenchless techniques, micrositing and no-dig measures would remove significant impacts.</p> <p>On this basis there would be no residual significant effects to non-designated archaeological remains.</p> <p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>An outline offshore and onshore WSI has been prepared, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282);</li> <li>▪ Outline Onshore WSI (APP-283)</li> </ul> <p>The above WSIs have been prepared, in consultation with stakeholders, setting out a framework for all WSIs to be prepared in respect to archaeological fieldwork. All WSIs prepared in reference to the OWSI would be implemented after the written agreement of the local authority and MMO (in consultation with Historic England), and are controlled via DCO Requirement and condition of the deemed marine licence.</p>
Secretary of State decision making	EN-1  5.9.22	<p>In determining applications, the Secretary of State should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of:</p> <ul style="list-style-type: none"> <li>▪ relevant information provided with the application and, where applicable, relevant information submitted during the examination of the application;</li> <li>▪ any designation records, including those on the National Heritage List for England, or included on Cof Cymru for Wales</li> <li>▪ historic landscape character records;</li> <li>▪ the relevant Historic Environment Record(s), and similar sources of information;</li> </ul>	<p>The assessment has been undertaken in consideration of 'Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12' (Historic England 2019).</p> <p>The significance of the known marine archaeological and cultural heritage receptors within the offshore zone and potential impact on known and unknown marine archaeological and cultural heritage receptors identified has been undertaken according to the methodology outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The results of the assessments, including setting in the context of Historic Seascape Characterisation (HSC), are detailed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and are summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068).</p>

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		<ul style="list-style-type: none"> <li>representations made by interested parties during the examination process; expert advice, where appropriate, and when the need to understand the significance of the heritage asset demands it.</li> </ul>	<p>The onshore DBA (APP-180 to APP-187) provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p> <p>The Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project's Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 . The Heritage Statement provides proportionate statements of significance for potentially affected assets. These are provided in proportion to the importance of assets and the level of impact anticipated.</p>
	EN-1 5.9.23	The Secretary of State must also comply with the requirements on listed buildings, conservation areas and scheduled monuments, set out in Regulation 3 of the Infrastructure Planning (Decisions) Regulations 2010.	Listed Buildings, Conservation Areas and Scheduled Monuments are considered within the onshore assessment comprising ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075), DBA (APP-180 to APP-187) and Heritage Statement (APP-188). ES Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) confirms no designated archaeological remains would be physically affected by the Project and no potentially significant indirect impacts have been identified for designated heritage assets.
	EN-1 5.9.24	In considering the impact of a proposed development on any heritage assets, the Secretary of State should consider the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between their conservation and any aspect of the proposal.	The assessments presented in Chapter 13 Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) have regard to the significance of heritage assets. Particularly, the assessment identifies and assesses the significance of the heritage assets themselves.
	EN-1 5.9.25 – 5.9.26	<p>The Secretary of State should consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution that their conservation can make to sustainable communities, including to their quality of life, their economic vitality, and to the public's enjoyment of these assets.</p> <p>The Secretary of State should also consider the desirability of the new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).</p>	<p>Positive contributions to knowledge and understanding of the historic environment can be realised through data gathering, interpretation and publication. The works will contribute to current research frameworks in the region and will be further detailed in forthcoming relevant Method Statements, which will consider relevant research frameworks to reflect and enhance the ongoing research in the area.</p> <p>The nature of the proposals does not offer opportunities for the direct enhancement of known heritage assets. No cases have been identified where substantial harm to the heritage significance of a designated heritage asset would arise. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The scheme includes embedded mitigation in the form of screen planting around the OnSS that will screen the proposals and remove any operational impact to the setting of nearby heritage assets. This includes the OLEMS (APP-284) that sets out several high quality design measures, which includes mitigation planting.</p>
	EN-1 5.9.27 – 5.9.30	<p>When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance.</p> <p>The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification.</p>	No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. Archaeological Exclusion Zones (AEZs) (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (see the Outline Marine Archaeological WSI (APP-282)). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined

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		<p>Substantial harm to or loss of significance of a grade II Listed Building or a grade II Registered Park or Garden should be exceptional.</p> <p>Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and WHS, should be wholly exceptional.</p>	<p>in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>With regards to onshore receptors, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains will be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	EN-1 5.9.31	<p>Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to, or loss of, significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all the following apply:</p> <ul style="list-style-type: none"> <li>▪ the nature of the heritage asset prevents all reasonable uses of the site;</li> <li>▪ no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation;</li> <li>▪ conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible;</li> </ul> <p>the harm or loss is outweighed by the benefit of bringing the site back into use.</p>	<p>No cases have been identified where substantial harm to the heritage significance or total loss of significance of a designated heritage asset would arise</p> <p>As for onshore, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) concludes that no designated archaeological remains would be physically affected by the Project. Potential remains of national (high) importance which could be present in association with Slackholme deserted medieval village (HER MLI99418) would be avoided through the use of Trenchless techniques. No potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as temporary apart from indirect impacts to identified receptors where setting change caused by the proposed OnSS will affect the overall significance/importance of an asset. The proposals are considered to be compliant with the legislative and planning policy provisions relevant to heritage.</p>
	EN-1 5.9.32	<p>Where the proposed development will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including, where appropriate securing its optimum viable use.</p>	<p>Following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets. Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) also concludes that public benefits could also be achieved through the release of heritage capital that any archaeological fieldwork would trigger.</p>
	EN-1 5.9.33	<p>In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.</p>	<p>No impact on marine archaeological and cultural heritage receptors is expected to lead to harm or total loss of significance. AEZs (as per Chapter 13 Marine and Intertidal Archaeology (APP-068)) have been applied to all known wrecks and obstructions, and anomalies of high and medium archaeological potential. The commitment to avoid all known marine archaeological and cultural heritage receptors and to further investigate the area of impacts ensuring that unknown marine archaeological and cultural heritage receptors are located, and impact mitigated will ensure preservation in situ (APP-282). Where marine archaeological and cultural heritage receptors are directly impacted or removed from the seabed, justification will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England.</p> <p>In terms of onshore archaeology, Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075) following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant impacts have been identified to heritage assets or non-designated heritage assets.</p>
	EN-1 5.9.34	<p>Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site</p>	<p>The contribution of different elements of area designations has been considered within the assessment within Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075).</p>

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		should be treated either as substantial harm under paragraph 5.9.30 or less than substantial harm under paragraph 5.9.32 as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	<p>The contribution of different elements of a conservation area have been considered within the assessment, with no impact having been concluded by the Project.</p> <p>The Heritage Statement identifies the presence/absence of Conservation Areas within the Order Limits and a search area of up to 5km. It then assesses the potential for adverse effects/harm to Conservation Areas through setting change. Where necessary and possible, special regard to preserving or enhancing the character of a Conservation Area has been referenced through embedded design mitigation. The implementation of embedded mitigation is referenced within the proposed planting set out within LVIA Chapter 28 (APP-083). The avoidance of construction traffic through relevant Conservation Areas is set out within the Outline Construction Traffic Management Plan (CTMP) (APP-289).</p> <p>No harm to Conservation Areas is predicted with the nearest conservation area over 500m outside the Order limits. There are no World Heritage sites within the assessment study area.</p>
	EN-1 5.9.35	Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the Secretary of State should not take its deteriorated state into account in any decision.	<p>All known wreck sites, their archaeological significance, condition, and vulnerability, where known, is described in Section 3 of Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167)</p> <p>With regards to onshore archaeology, the heritage assets and any potential effects on these are set out in Volume 3, Appendix 20.1: Onshore Archaeology and Cultural Heritage Desk-Based Assessment (APP-180 to APP-187).</p>
	EN-1 5.9.36	When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State should give great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	<p>With regard to setting change and how this may affect heritage assets, no potentially significant indirect impacts have been identified for designated heritage assets or non-designated heritage assets. All indirect impacts are identified as insignificant and predominantly temporary or short term.</p> <p>The Project has proposed several mitigation measures to mitigate effects which include the measures set out in the OLEMS (APP-284) which sets out several high quality design measures, including mitigation planting.</p>
<b>EN-1 Part 5.10: Landscape and visual</b>			
Landscape and Visual	EN-1 5.10.1	The landscape and visual effects of energy projects will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development. In this context, references to landscape should be taken as covering seascape and townscape.	<p>Landscape and visual effects are assessed within Chapter 17 Seascape, Landscape and Visual (APP-072) (offshore) and Chapter 28 Landscape and Visual Assessment (APP-083) (onshore).</p> <p>Landscape and visual effects were also considered from the onset of the Project, in which the site selection and design approach was subject to an iterative process, meaning the most sensitive locations and receptors have been avoided. In addition, the Project has proposed several mitigation measures to mitigate effects, which includes the measures set out in the OLEMS (APP-284).</p> <p>ES Chapter 17 (APP-072) comprises the assessment of potential impacts of the Project on seascape, landscape, and visual impact assessment (SLVIA) receptors. The potential impacts from the Project on SLVIA receptors are from the array area (WTGs and Offshore Platforms) and the ORCPs within the ECC.</p> <p>Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascape character. Due to the distance of the offshore array from the coast, the Array Area of the Project will be mostly not visible to those onshore and only present in the offshore environment.</p> <p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072) presents an assessment of likely significant effects of the Project on landscape character areas (LCAs). The Project has been designed</p>
	EN-1 5.10.4 – 5.10.6	<p>Landscape effects arise not only from the sensitivity of the landscape but also the nature and magnitude of change proposed by the development, whose specific siting and design make the assessment a case-by-case judgement.</p> <p>Virtually all nationally significant energy infrastructure projects will have adverse effects on the landscape, but there may also be beneficial landscape character impacts arising from mitigation.</p> <p>Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.</p>	

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			<p>so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advice will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>ES Chapter 21 (APP-076) comprises the assessment of potential impacts on landscape and visual receptors that will arise as a result of the construction and operational phases of the onshore components of the Project.</p> <p>The Project has made a number of commitments to reduce and minimise the impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out several high quality design measures and embedded mitigation measures, including mitigation planting.</p>
	EN-1 5.10.7 – 5.10.9	<p>National Parks, the Broads and AONBs have been confirmed by the government as having the highest status of protection in relation to landscape and natural beauty. Each of these designated areas has specific statutory purposes. Projects should be designed sensitively given the various siting, operational, and other relevant constraints. For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. In these locations, projects should be designed sensitively given the various siting, operational, and other relevant constraints. The Secretary of State should be satisfied that measures which seek to further the purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development.</p> <p>The Secretary of State has a duty of to have regard to the statutory purposes of National Parks and AONBs in Wales when making decisions about development schemes within England which affect designated landscapes in Wales. Similar regard should also be had in relation to schemes in England which have impacts on National Parks and National Scenic Areas in Scotland.</p>	<p>There are nationally designated landscapes within the Seascape, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascape, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p> <p>As referred to in Section 17.3 of Chapter 17 Seascape, Landscape and Visual (APP-072) comments have been received from NE in April 2023 in relation to the SLVIA scope. These comments set out that NE agree that potential effects resulting from elements of the Project in the Array area are likely to result in limited effects on landscape and visual receptors, including the designated/defined landscape at Spurn Head and the Norfolk Coast AONB.</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies out with the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, the Project is considered to be in accordance with paragraphs 5.9.7, 5.9.8 and 5.9.9 of NPS EN-1.</p>

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	EN-1 5.10.10 – 5.10.15	<p>Heritage Coasts are defined areas of undeveloped coastline which are managed to conserve their natural beauty and, where appropriate, to improve accessibility for visitors.</p> <p>Development within a Heritage Coast (that is not also a National Park, The Broads or an AONB) is unlikely to be appropriate, unless it is compatible with the natural beauty and special character of the area.</p> <p>Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p> <p>All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Secretary of State will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast.</p>	<p>The potential for the Project to impact upon Heritage Coasts has been considered in Section 17.7 of Chapter 17 Seascape, Landscape and Visual Impact Assessment (APP-072).</p> <p>In relation to landscape receptors, the principal visual receptors are found along the closest section of coastlines between Donna Nook to Gibraltar Point Naturalistic Coast Landscape Character Area (LCA). This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced</p> <p>The SLVIA concludes that there are predicted moderate effects on the Donna Nook to Gibraltar Point Naturalistic Coast LCA. However, on balance these are not considered to be significant.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. At other viewpoints along the coastline the effects would be reduced due to a combination of the intervening distance and or the context of the baseline built environment, where the viewpoint is located within a settlement. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As per the responses to paragraph 3.3.62, the Project is classified as CNP infrastructure, which are critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK’s renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development</p>
Applicant Assessment	EN-1 5.10.16 – 5.10.18	<p>The Applicant should carry out a landscape and visual impact assessment and report it in the ES, including Cumulative effects (see Section 4.3). Several guides have been produced to assist in addressing landscape issues.</p> <p>The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The Applicant’s assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.</p> <p>For seascapes, applicants should consult the Seascape Character Assessment and the Marine Plan Seascape Character Assessments, and any successors to them.</p>	<p>The Applicant has provided a seascape, landscape and visual impact assessment (SLVIA) of the offshore elements of the Project as well as a landscape and visual impact assessment (LVIA), of the onshore elements. These are included within the ES within ES Chapter 17 Seascape Landscape and Visual (APP-072) and ES Chapter 28 Landscape and Visual Impact Assessment (APP-083) respectively.</p> <p>The assessments have been undertaken in accordance with the Landscape Institute and IEMA (2013) Guidelines for Landscape and Visual Impact Assessment, 3rd Edition (GLVIA3), and other best practice guidance. The methodology used to undertake the SLVIA is set out in full in Appendix 17.1 (APP-174) with the LVIA methodology provided in Section 6 of the ES LVIA Chapter. Both assessments consider cumulative impacts</p>

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			<p>The LVIA has been undertaken with reference to published landscape character assessments associated studies and relevant policies for the study area are referred to in section 7.2 of the LVIA chapter.</p> <p>Section 17.7 of the SLVIA chapter takes into account the relevant landscape and seascape character assessments, and associated relevant policies based on these.</p>
	<p>EN-1: 5.10.19</p>	<p>The Applicant should consider landscape and visual matters in the early stages of siting and design, where site choices and design principles are being established. This will allow the applicant to demonstrate in the ES how negative effects have been minimised and opportunities for creating positive benefits or enhancement have been recognised incorporated into the design, delivery and operation of the scheme</p>	<p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied to the Project throughout the pre-application process and will continue to be applied. ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) sets out the iterative process that has influenced the design of the Project and how the design process was conducted. The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. With regards careful design offshore, the WTGs and other infrastructure have been sited, as far as reasonably practical, to avoid and minimise significant effects on designated sites</p> <p>The Project has made a number of commitments to reduce and minimise the onshore impacts to the landscape and visual receptors through the design, development and site selection process which considered the constraints associated with the current landscape features, development and adherence to the CoCP which include measures to reduce temporary disturbance and incorporation of good practice measures. An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project.</p>
	<p>EN-1 5.10.20</p>	<p>The assessment should include the effects on landscape components and character during construction and operation. For projects which may affect a National Park, The Broads or an AONBs the assessment should include effects on the natural beauty and special qualities of these areas’.</p>	<p>To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character has been undertaken for both seascapes, with regards the offshore WTGs and other offshore infrastructure see Chapter 17 Seascape, Landscape and Visual (APP-072) and landscape with regards the OnSS Chapter 28 Landscape and Visual Assessment (APP-083).</p> <p>There are no offshore effects on landscape components as a result of the offshore infrastructure of the Project. There are however potential effects on seascape components of landscape character, and perceived character of landscape designations and these are assessed in Section 17.7 of the SLVIA chapter (APP-072). For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The landscape and visual effects resulting from the onshore elements of the Project during construction and operation are assessed in section 7.2 and section 7.3 of the LVIA chapter respectively (APP-083).</p> <p>There will be significant effects on the local landscape character around the OnSS during the construction phase, extending up to a maximum range of 1.6km, due to the presence and influence of the construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 15-year period due to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The onshore programme for decommissioning is expected to be similar to that of the construction phase.</p>

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			<p>As noted in the response to NPS EN-1 5.10.7 to 5.10.9, there are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project, except .</p> <p>The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p>
	EN-1 5.10.21	The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation.	<p>Both assessments have assessed the visual impacts of the Project</p> <p>The visual effects of the offshore elements of the Project during construction and operation, are addressed in Section 17.7 of the ES SLVIA Chapter (APP-072). There is the potential for significant effect during the construction phase on visual receptors on the closest parts of undeveloped sections of the coastline, primarily with the construction of the ORCP due to their proximity to parts of the Lincolnshire coastline. These effects are associated with the closest onshore visual receptors to the ORCPs. During the operational phase the ORCP are predicted to have significant impacts on the closest parts of undeveloped sections of the coastline. Within the decommissioning phase the effects are expected to be no greater than the construction. Therefore, the array area infrastructure is predicted to have a significant effect, and the ORCP will have a potential significant effect.</p> <p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in Section 17.7 of the SLVIA</p> <p>The onshore LVIA (APP-083) concludes that during the construction phase, visual amenity will be significantly affected for people in the local area around the OnSS, extending up to a maximum range of 1.3km due to the presence and influence of construction works and the emerging OnSS. Similar significant effects will persist during the operational phase but will gradually diminish over a 5 to 15-year period owing to the growth of a comprehensive onsite and offsite planting scheme proposal around the OnSS. The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p> <p>Significant cumulative effects will occur on local residents and road-users during the construction of the 400kV cable corridor and the National Grid Substation. There will also be significant cumulative effects during the construction and operational phases on three representative viewpoints owing to the cumulative interaction between the OnSS and an Anaerobic Digestion Plant, and on two viewpoints owing to the cumulative interaction between the OnSS, application stage Anaerobic Digestion Plant and the National Grid Substation. All significant effects will be reduced to not significant during a 5 to 15 year period during which mitigation planting will grow to create an effective screen around the OnSS.</p>
	EN-1 5.10.22	The assessment should also address the landscape and visual effects of noise and light pollution, and other emissions (see Section 5.2 and Section 5.7), from construction and operational activities on residential amenity and on sensitive locations, receptors and views, how these will be minimised.	<p>The Planning Inspectorate has agreed that lighting effects associated with construction and decommissioning, together with aviation and marine navigation lighting within the array area can be scoped out of the SLVIA. Lighting associated with the ORCPs is assessed in the SLVIA</p> <p>The LVIA considers effects on visual amenity arising from the use of lighting associated with the construction and decommissioning of the OnSS during the hours of darkness</p>

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	EN-1 5.10.23	Applicants are expected to justify BAT for the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a natural draught cooling tower explaining why the application of modern hybrid cooling technology or other technologies is not reasonably practicable.	The Project does not propose the infrastructure outlined within Paragraph 5.10.23 of EN-1.
	EN-1 5.10.24	Applicants should consider how landscapes can be enhanced using landscape management plans, as this will help to enhance environmental assets where they contribute to landscape and townscape quality.	An outline Landscape and Ecological Management Strategy (APP-284) has been submitted as part of the application which sets out the landscape and ecological elements of the Project. The proposed mitigation planting for the OnSS comprises a framework of bands of planting that connect to form an effective screen, as well as a network of corridors for nature. The bands of planting comprise woodland belts where possible, and hedgerows where restrictions over, or under cables apply. The bands of planting are mostly located along field boundaries or along roadsides.
	EN-1 5.10.25	In considering visual effects it may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the Secretary of State in judging the weight they should give to the assessed visual impacts of the proposed development.	Baseline Offshore Windfarms (OWFs) are referenced in Section 17.4 and Section 17.8 of the SLVIA Chapter (APP-072),
Mitigation	EN-1 5.10.26 – 5.10.28	<p>Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the Secretary of State may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function.</p> <p>Adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within its development site and wider setting. The careful consideration of colours and materials will support the delivery of a well-designed scheme, as will sympathetic landscaping and management of its immediate surroundings.</p> <p>Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines may mitigate the impact when viewed from a more distant vista.</p>	<p>The Applicant has sought to minimise adverse visual and landscape effects wherever practicable, consideration for these effects have informed the Applicant’s site selection decisions as discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059), and mitigation measures proposed, such as those proposed in Chapter 29 Landscape and Visual Impact Assessment (APP-083) and Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072)..</p> <p>The Project design has been developed to reduce the impact and design commitments have been made such as the ORCPs would be positioned a minimum of 12km from the closest part of the coastline. The Project will also follow all legal requirements with regards to shipping, navigation and aviation marking and lighting. Relevant industry guidance and advise will also be followed for marking and lighting of all offshore infrastructure, with the Project committing to minimising the light impacts as far as practicable to mitigate potential effects.</p> <p>For the onshore elements of the Project, effects on Landscape and Visual receptors are assessed in APP-083. Mitigation planting has been proposed off-site (within the order limits) that reduces the Project’s long term visual impact of the Onshore substation to non-significant after 15 years (and in some cases in as low as 5 and years).</p> <p>The Applicant submitted a Design Approach Document (APP-292) into the Examination which sets out the Applicant’s commitment to undertaking a design review process which was initiated in January 2024. A Design Principles Statement (APP-293) was also submitted and outlines the Project commitments relevant to design, these are secured through requirement 9 of the draft DCO., The Applicant has committed to updating this document throughout the examination as the design review process progresses. The Design Review has included presenting visualisations of alternative colours and roof shapes and with a review of material options.</p> <p>The Project’s landscaping proposals are contained within and secured through the OLEMS (APP-284).</p>
Secretary of State decision making	EN-1 5.10.29 – 5.10.30	The Secretary of State should take into consideration the level of detailed design which the Applicant has provided and is secured in the Development Consent Order, and the extent to which design details are subject to future approvals.	As noted above in the response to NPS EN-1 4.7.6 – 4.7.9, Good design and sustainability have been central in the development of the Project proposals. As stated within ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the project has undergone an iterative design and site selection process, in order to define a project that makes the greatest contribution to renewable energy targets

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		<p>The Secretary of State should be satisfied that local authorities will have sufficient design content secured to ensure future consenting will meet landscape, visual and good design objectives.</p>	<p>whilst minimising environmental impacts and following principles of good design. Further information on the approach taken to design is provided in the Design Approach Document (APP-292).</p> <p>The Project design process has undergone various iterations, involving early engagement with stakeholders, communities, and landowners to seek input to refine the key elements of the Project. Consultation on refinements to the Project’s sites’ selection including alternatives, the route, layout and configuration have been undertaken through informal and formal consultation, and bilateral engagement with individual stakeholders. Feedback received has been taken into consideration throughout, via a range of means including and can be found in the Consultation Report (APP-032).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>The capacity of the landscape to accommodate the onshore elements of the Project is assessed in relation to the natural screening afforded by landform, woodlands and trees and the degree to which other surrounding infrastructure and buildings influence visual screening.</p> <p>As screening is limited in this landscape, especially in respect of the Surfleet Marsh OnSS the approach has been to locate the onshore ECC, 400kV cable corridor and the OnSS as far detached as possible from nearby settlements primarily, but also from roads and PRowWs.</p> <p>The close proximity of existing electricity overhead lines to the Surfleet Marsh OnSS provides a context of electrical infrastructure across the local and wider landscapes. There is also a more distant influence from the Spalding Energy Facility, located to the south of the Surfleet Marsh OnSS. This context was considered in site selection and aligning with it is also considered to be embedded mitigation</p> <p>The Project has also adopted a Maximum Design Scenario approach as detailed within Chapter 3 Project Description (APP-058) to assess the greatest potential for change across each impact assessed, such that the design of the Project can assess impact on a “worst case scenario” and best avoid significant impact..</p> <p>Further design considerations are set out in the Design Approach Document (DAD) (APP-292) and the Design Principles Statement (APP-293). Additional detail of the potential reinstatement of the onshore ECC and screening proposals for the OnSS can be found in the OLEMS (APP-284).</p> <p>The DAD summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design. As noted in the response to EN-1 4.7.5, the DAD (APP-292) confirms the Applicant has identified a Design Champion and sets out the approach to external design review.</p> <p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process.</p>

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	EN-1 5.10.32	<p>When considering applications for development within National Parks, the Broads and AONB the conservation and enhancement of the natural beauty should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas. The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of:</p> <ul style="list-style-type: none"> <li>▪ the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy;</li> <li>▪ the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.3; and</li> </ul> <p>any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.</p>	The Project is not located in a designated landscape.
	EN-1 5.10.33	For development proposals located within designated landscapes the Secretary of State should be satisfied that measures which seek to further purposes of the designation are sufficient, appropriate and proportionate to the type and scale of the development. The Secretary of State should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	
	EN-1 5.10.34	The duty to seek to further the purposes of nationally designated landscapes also applies when considering applications for projects outside the boundaries of these areas, which may have impacts within them. The aim should be to avoid harming the purposes of designation or to minimise adverse effects on designated landscapes, and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. The fact that a proposed project will be visible from within a designated area should not in itself be a reason for the Secretary of State to refuse consent.	<p>There are nationally designated landscapes within the Seascope, Landscape and Visual Impact Assessment (SLVIA) Study Area for the Project: the Lincolnshire Wolds AONB and Norfolk Coast AONB. However, within the SLVIA at Chapter 17 Seascope, Landscape and Visual (APP-072) it is assessed that the effects on landscape and visual receptors within these designated landscapes would not be significant, as a result of the Project. For ORCPs only, the ES concludes potential significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascope Landscape and Visual Impact Assessment (APP-072).</p> <p>With regard to the onshore LVIA (ES Chapter 28 Landscape and Visual Impact Assessment (APP-083)), there will be no significant effects on landscape planning designations, such as AONBs and RPGs, owing to none occurring within the LVIA study area. The Lincolnshire Wolds AONB lies outwith the LVIA study area, such that there is no potential for significant effects to arise and therefore a detailed assessment is not required.</p> <p>Therefore, it is considered that the Project would not adversely affect the defined special qualities or statutory purposes of the Lincolnshire Wolds AONB or Norfolk Coast AONB designations.</p>
	EN-1 5.10.35	The scale of energy projects means that they will often be visible across a very wide area. The Secretary of State should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project.	Other offshore windfarms are located within the Marine Character Area meaning that windfarms form a key characteristic of the current seascope character. Due to the distance of the offshore array from the coast, the development will be mostly not visible to those onshore and only present in the offshore environment. This is reflected in the findings of the SLVIA Chapter (APP-072) as summarised below:

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			<p>In relation to landscape receptors, the key consideration is potential Donna Nook to Gibraltar Point Naturalistic Coast LCA. This comprises a narrow strip of land along the majority of the Lincolnshire coastline. Whilst the ORCPs would be relatively prominent from part of this LCA, this prominence would be particularly applicable to a short section closest to the ORCPs. However, this LCA is already influenced by development in many locations due to a combination of the local settlement pattern and tourism related development, together with existing offshore windfarms. The ORCPs would add to this existing pattern of development, but the baseline context would limit the relative change in relation to the LCA overall. The more remote section of this LCA is along the north eastern part of the Lincolnshire coastline, where the ORCPs would be more distant and, as consequence, their relative prominence would be reduced.</p> <p>In relation to visual receptors significant effects have been identified in relation to visual receptors on the closest parts of undeveloped sections of the coastline. In such locations the introduction of the ORCPs would contrast with the character of the coastline. However, such effects have only been identified at the closest section of the coastline to the ORCPs. The Applicant has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>As outlined in Chapter 28 of the ES localised effects on the Surfleet and Gosberton Marsh LLCA within which the OnSS will be located have been identified, however Section 7 of the Planning Statement (APP-297) summarises the planning balance for the Project, drawing together the benefits and the assessment of potential adverse effects. The Planning Statement concludes that the SoS should give appropriate weight to the benefits of the project when considering the planning balance. The need for the Project has been established in this NPS which concludes that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure, like the Project which is critical in providing a secure, reliable, affordable, net zero consistent system by 2050 and meeting the UK's renewable energy targets. Substantial weight should be given to the benefits of the Project particularly in light of the established need for this development.</p>
	EN-1 5.10.36	In reaching a judgment, the Secretary of State should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the Secretary of State considers reasonable.	<p>Refer to comments for Paragraph 5.10.34.</p> <p>Where the seascape, landscape and visual impacts of the Project are temporary or reversible, this is set out in Section 17.7 of the SLVIA Chapter (APP-072), The LVIA</p>
	EN-1 5.10.37	The Secretary of State should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by appropriate mitigation.	<p>A summary of how the Applicant has carefully approached the design of the Project is provided in the response to NPS EN-1 5.10.29 – 5.10.30, with further detail provided in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The OnSS site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p>
	EN-1 5.10.38	The Secretary of State should consider whether requirements to the consent are needed requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements for landscape and visual impacts.	The draft DCO (APP-303) includes requirements that the Applicant has considered appropriate to secure the various commitments made including Requirement 9 which requires the Applicant to submit detailed onshore design parameters to the relevant planning authority for approval prior to construction and

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			Requirement 10 which requires the submission of a written landscape management plan in accordance with the OLEMS submitted (APP-284)
<b>EN-1 Part 5.11: Land use including open space, green infrastructure, and Green Belt</b>			
Land Use, Including Open Space, Green Infrastructure, and Green Belt	EN-1 5.11.1 – 5.11.2	<p>An energy infrastructure project will have a direct effect on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity for other types of development. Given the likely locations of energy infrastructure projects there may be particular effects on open space including green and blue infrastructure.</p> <p>Green Belts, defined in a local authority’s development plan in England or regional strategic development plans in Wales, are situated around certain cities and large built-up areas. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and permanence. For further information on the purposes of Green Belt policy see Chapter 13 Marine and Intertidal Archaeology of the NPPF, or any successor to it.</p>	<p>Open spaces, sports and recreational facilities have been considered in Chapter 25 Land Use (APP-080).</p> <p>The Project has undergone an iterative site selection process which has involved environmental and engineering considerations in collaboration with feedback obtained through consultation. Throughout the design process, the Project has minimised the permanent loss of land as far as practicable, alongside measures embedded to reinstate the temporarily impacted land to its original use, following the completion of the construction works. Through sensitive site selection and design the Project has minimised interaction with open spaces and green infrastructure. Land use is heavily agricultural and lacks open spaces which could be used for outdoor recreation.</p> <p>Whilst the Project interacts with Public Rights of Way the interaction will be managed through the Public Access Management Plan (PAMP) that will be submitted to the local highway authority and will accord with the principles set out in the outline PAMP (APP-291) which establishes the principles for management of PRoWs.</p> <p>In addition, the Project does not involve the loss or erosion of green belt land as no part of the Project falls within Green Belt areas and is therefore compliant with Paragraphs 5.11.1-5.11.2.</p>
	EN-1 5.11.3 – 5.11.4	<p>Although the re-use of previously developed land for new development can make a major contribution to sustainable development by reducing the amount of countryside and undeveloped greenfield land that needs to be used, it may not be possible for many forms of energy infrastructure.</p> <p>Development of land will affect soil resources, including physical loss of and damage to soil resources, through land contamination and structural damage. Indirect impacts may also arise from changes in the local water regime, organic matter content, soil biodiversity and soil process.</p>	<p>Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078)</p> <p>Details on existing or proposed land uses and new developments or proposed projects are assessed for potential Cumulative impacts in Chapter 25 Land Use (APP-080).</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system.</p> <p>Chapter 23 Geology and Ground Conditions (APP-078) concludes that there will be no significant impact to soil resources. This is as a result of the mitigation/best practice techniques outlined in the Outline Soil Management Plan (APP-271) which provides details of mitigation measures and best practice handling techniques to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement during the construction of the onshore infrastructure.</p>
	EN-1 5.11.5 – 5.11.6	<p>Where pre-existing land contamination is being considered within a development, the objective is to ensure that the site is suitable for its intended use. Risks would require consideration in accordance with the contaminated land statutory guidance as a minimum.</p> <p>The government’s policy is to ensure there is adequate provision of high-quality open space and sports and recreation facilities to meet the needs of local communities.</p>	<p>Pre-existing conditions including contamination are considered within Section 23.4.3 of Chapter 23 Geology and Ground Conditions (APP-078). The Project proposes several measures to ensure pre-existing conditions do not result in the occurrence of significant adverse effects. This includes the preparation of the Outline Soil Management Plan (APP-271) which outlines an approach to dealing with pre-existing conditions and monitoring. The code of construction practice (APP-268) will set out procedures to be followed should sources of contamination (e.g., buried asbestos) be discovered during construction phase works. If unexpected contamination is encountered or suspected, the works would cease in that</p>

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		Connecting people with open spaces, sports and recreational facilities all help to underpin people’s quality of life and have a vital role to play in promoting healthy living.	<p>area and assessment by a suitably qualified land contamination specialist would be made to determine appropriate actions</p> <p>Regarding open space and sports and recreation facilities, where practically possible, these sensitive areas have been avoided through the iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p> <p>There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>The Country Park r would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor’s predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use were not considered to be significant, particularly with regards to several receptors where impacts can be entirely avoided through the Project’s design and bypassing beneath the receptor through the usage of trenchless techniques.</p>
	EN-1 5.11.7	Green and blue infrastructure can also enable developments to provide positive environmental, social, health and economic benefits. Green infrastructure includes green space such as parks and woodlands but also other environmental features such as street trees, hedgerows and green walls and roofs. It also includes blue infrastructure such as canals, rivers, streams, ponds lakes and their borders. Well designed and managed green and blue infrastructure provides multiple benefits at a range of scales. It can contribute to biodiversity recovery, sequester carbon, absorb surface water, cleanse pollutants, absorb noise and reduce high temperatures. The Green Infrastructure Framework – Principles and Standards for England can be used to consider green infrastructure in development and plan for good quality and targeted creation or improvement.	<p>The Applicant has committed to mitigation/compensatory measures to enhance biodiversity and enhance green and blue infrastructure. This includes the OLEMS (APP-290) that sets out high quality design measures that will also deliver biodiversity enhancements at the same time, which includes mitigation planting. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (APP-302) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p> <p>The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes</p>
Applicant Assessment	EN-1 5.11.8	The ES (see Section 4.3) should identify existing and proposed land uses near the Project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. The assessment should be proportionate to the scale of the preferred scheme and its likely impacts on such receptors. For developments on previously developed land, The Applicant should ensure that they have considered the risk posed by land contamination and how it is proposed to address this.	<p>Detail on existing or proposed Land Uses can be found in Chapter 25 Land Use (APP-080) which provides a detailed account of the surrounding land uses, and the potential impacts associated with the Project during the construction, operation, and decommissioning phases.</p> <p>The majority of the onshore ECC and OnSS are located on agricultural land, with the quality of the agricultural land being determined using the Agricultural Land Classifications (ALC), which provides a method for assessing the quality of farmland to enable informed choices to be made about its future use within the planning system. The Order Limits are also frequently crossed by Public Rights of Way (PRoWs), utilities, ecological designations, agri-environmental schemes and various outdoor areas of land with potential recreational purposes, such as a Country Park or Common Land.</p>

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			<p>During the construction phase, there are no significant residual effects associated with land use when accounting for the embedded measures of mitigation, such as the CoCP, SMP, and Public Access Management Plan (PAMP) (APP-291). Minor adverse effects on agricultural productivity and land holdings were identified, but no significant adverse residual effects were observed, through a combination of the temporary and phased nature of the impacts, as well as the integration of management plans which proved instrumental in mitigating these impacts.</p> <p>Additionally, impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use were either negligible or minor adverse, with no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>During the operation and maintenance phase, two impacts have been identified, one is not significant, however, one effect concerning the permanent loss of local agricultural land as a result of the OnSS, link boxes, and associated ancillary infrastructure is of residual major adverse effect after mitigation. Chapter 25 Land Use (APP-080) has considered potential future development and identified an application for the siting of static caravans, which has been considered within the assessment.</p>
	EN-1  5.11.9 – 5.11.10	Applicants will need to consult the local community on their proposals to build on existing open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green and blue infrastructure, sport, or recreation facilities, to substitute for any losses as a result of their proposal. When considering proposals for green infrastructure, Applicants should refer to the Green Infrastructure Framework. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	<p>Consultation is a key part of the DCO application process. Consultation regarding Land Use has been conducted via:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Technical Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (including Phase 2 Consultation, Autumn Consultation and Targeted Winter Consultation)</li> </ul> <p>An overview of the Project's consultation process is presented within ES Chapter 6 Technical Consultation (APP-061) and the Consultation Report (APP-032).</p>
	EN-1  5.11.11	During any pre-application discussions with The Applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.	<p>The Project has been subject to extensive pre-application discussions with the LPAs, with those which are relevant to Land Use impacts outlined in Section 25.3 of Chapter 25 Land Use (APP-080) which includes how the key issues from the Scoping Opinion have been addressed. The related policy and legislation, including the local development plans, have been outlined in section 25.2, whilst land use assessment has been undertaken in Section 25.7 of Chapter 25.</p> <p>Routing and siting considerations that are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p>
	EN-1  5.11.12 – 5.11.13	Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5).	<p>The effects of onshore infrastructure associated with the Project on agricultural land are considered in Section 25.7 of Chapter 25 Land Use (APP-080).</p> <p>Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within</p>

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		Applicants should also identify any effects and seek to minimise impacts on soil health and protect and improve soil quality taking into account any mitigation measures proposed.	southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.  The effect on soil quality has been assessed in Chapter 23 Geology and Ground Conditions (APP-078).  An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.  Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.
	EN-1  5.11.14- 5.11.15	Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	
	EN-1  5.11.16 – 5.11.18	Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans. Applicants should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination, and where contamination is present, applicants should consider opportunities for remediation where possible. It is important to do this as early as possible as part of engagement with the relevant bodies before the official pre-application stage.	As presented in the Consultation Report (APP-032), the Evidence Plan Process Consultation (APP-149) and in individual technical topic chapters, the Applicant has undertaken significant consultation with the LPA.  Routing and siting considerations that are discussed in Chapter 4 Site Selection and Consideration of Alternatives (APP-059). Although the onshore infrastructure does not utilize previously developed land, an assessment of the potential for impacts to occur from contamination is provided in Chapter 23 Geology and Ground Conditions (APP-078).
	EN-1  5.11.19	Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	The effect on mineral resources has been assessed in Chapter 23 Geology and Ground Conditions (APP-078). As noted in the baseline section of ES Chapter 23 Geology and Ground Conditions (APP-078), the study area does not overlie areas of minerals safeguarded by Lincolnshire County Council. A search of the Lincolnshire County Council planning website has not shown any extant planning permissions for mineral extraction in these areas. Published information indicates that in this region the deposits are widespread. Deposits further north within similar geologies have been quarried, however within the study area deposits have not been quarried or mined on any significant scale are unlikely to be of economic value. It is considered that the construction of the onshore ECC and proposed OnSS location will not lead to sterilisation of mineral resources.

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	EN-1 5.11.20	The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.11.36 below).	The Project is not located within any Green Belts.
	EN-1 5.11.21	However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria on such developments in Green Belts.	
	EN-1 5.11.22	Moreover, an applicant may be able to demonstrate that particular energy infrastructure, such as an underground pipeline, may be considered an “engineering operation” and regarded as not inappropriate in Green Belt. This is provided it preserves the openness of the Green Belt and does not conflict with the purposes of Green Belt designation. It may also be possible for an applicant to show that the physical characteristics of a proposed overhead line in a particular location would not have so harmful an impact as to conflict with the purposes of Green Belt designation, or with other protections of rural landscape	
Mitigation	EN-1 5.11.23	Although in the case of most energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the Project and the protection of soils during construction.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and, where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Impacts on best and most versatile land have been minimised where possible through site selection and the adherence to a soil management plan (SMP) during both construction works and the reinstatement of the cable corridor following cable installation. At Weston Marsh, all land within a c.6km radius of the National Grid T-Junction is classified as Agricultural Land Classification (ALC) Grade 1, the highest and most valuable grading. As such, applying the OnSS search area of c3.5km, all land in this search area is ALC grade 1 and therefore could not be avoided when identifying potential OnSS locations at Weston Marsh.</p> <p>An Outline Soil Management Plan (SMP) is submitted as part of the Outline CoCP (APP-271). The SMP will provide further details of mitigation measures and best practice handling techniques during stripping, handling and reinstatement to safeguard soil resources by ensuring their protection, conservation and appropriate reinstatement following the construction of the onshore works. The SMP includes the commitment to a Soil Clerk of Works and soil testing across the Project route.</p> <p>Through the measures within the SMP, the effect on soils from the onshore ECC and OnSS is not considered to be significant.</p>

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			<p>With regard to use of agricultural land, the Project has been designed to minimise the impacts on agricultural land by aligning the ECC route along field boundaries to avoid fracturing land parcels and excess land take. The Project has also chosen the route north of the A52, which has led to the avoidance of higher graded agricultural land.</p> <p>Soils will be handled using the measures outlined in the outline SMP to allow them to maintain the same quality, which will be reinstated following construction. As the land will be reinstated to the previous quality following the construction phase, it is expected that the following sowing season would return to the same levels of agricultural productivity.</p> <p>When considering the temporary nature of the impact and the reinstatement of the soils, therefore the agricultural land itself, to the same standard, significant effects on agricultural land are not predicted to occur.</p> <p>The OnSS is located in best and most versatile (BMV) agricultural land. Rather than introducing woodland blocks or belts, as part of the landscape mitigation and ecological compensation and enhancement proposals, that would occupy fields or fragment fields and make them unusable for farming, the containment of planting along the field boundaries would minimise the disruption and enable farming to continue across most of the land surrounding the OnSS. Furthermore, the belts of woodland planting will create shelter from the winds that affect this exposed landscape and in so doing may help increase crop productivity.</p> <p>Although loss of agricultural land is minimised, the permanent loss of BMV agricultural land due to the combined effect of the OnSS and the link boxes is considered to be major (significant) in EIA terms.</p>
	EN-1 5.11.24 – 5.11.26	<p>Where green infrastructure is affected, the Secretary of State should consider imposing requirements to ensure the functionality and connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to National Trails and other public rights of way and new coastal access routes.</p> <p>The Secretary of State should also consider whether any adverse effect on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility.</p> <p>Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.</p>	<p>This policy has guided the consideration of embedded mitigation and ensured that the Project does not affect green infrastructure in a meaningful way.</p> <p>The Applicant has primarily sought to avoid adverse effects on green infrastructure through consideration of routing, siting and scheme design. Where there remains interaction with green infrastructure, this is predominantly via works that could potentially disrupt the PRoW network or public use of the beach area. Specifically coastal access routes and public rights of way are to be managed through the implementation of the PAMP (APP-291), a final version of which will need to be approved under DCO Requirement 18, Code of Construction Practice), such that the routes will be maintained within minimum disruption, and connectivity will be maintained.</p>
	EN-1 5.11.27	Existing trees and woodlands should be retained wherever possible. In the EIP, the Government committed to increase the tree canopy and woodland cover to 16.5% of total land area of England by 2050. The Applicant should assess the impacts on, and loss of, all trees and woodlands within the Project boundary and develop mitigation measures to minimise adverse impacts and any risk of net deforestation as a result of	ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) illustrates how direct impacts on designated sites have been avoided through project design. Also, how blocks of woodland are avoided and the loss of individual trees and hedgerows has been minimised.

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		<p>the scheme. Mitigation may include, but is not limited to, the use of buffers to enhance resilience, improvements to connectivity, and improved woodland management. Where woodland loss is unavoidable, compensation schemes will be required, and the long-term management and maintenance of newly planted trees should be secured.</p>	<p>Embedded mitigation measures are provided in Section 21.7 of Chapter 21 Onshore Ecology (APP-076) which account for retention of existing trees and woodland. For example, in order to mitigate the risk of loss of, or damage to veteran trees, the detailed design of the Project will seek to avoid boundary features wherever possible. Any tree that cannot be retained will be subject to pre-construction surveys to assess if ancient or veteran or not. Appropriate mitigation and compensation for any losses of veteran or ancient trees will be agreed with relevant stakeholders. As part of the pre-commencement surveys, any veteran or ancient trees would be identified. The Root Protection Areas (RPAs) of all retained trees and woodland would be determined by arboriculture survey. The outer extent of the RPA would be demarcated, prior to commencement of works, by fencing of a specification capable of excluding construction machinery, equipment and personnel from these areas.</p> <p>No trees will be removed for temporary access and efforts will be made to further reduce the number of trees lost through micro-siting wherever possible. Where trees are removed, they will not be replaced in situ for operational reasons (i.e. because access to the cables is required). Compensation for the loss of trees along the route will also be provided by the proposed screening planting at the OnSS (as set out in the OLEMS (APP-284).</p> <p>This is supported by the Biodiversity Net Gain Report Principles and Approach (APP-302), which outlines the commitment of the Project to adopting Biodiversity Net Gain using the latest metric.</p>
	EN-1 5.11.28	<p>Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the Secretary of State should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources.</p>	<p>The Project does not overlie or result in any adverse impacts to an MSA, as confirmed within Chapter 23 Geology and Ground Conditions (APP-078).</p>
	EN-1 5.11.29	<p>Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas</p>	<p>As noted in the response to NPS EN-1 5.11.19 and confirmed in Chapter 25 Land Use (APP-080), The Project will have no long-term effects on land use.</p>
	EN-1 5.11.30 – 5.11.31	<p>Public Rights of way, National Trails, and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness, and convenience of the right of way.</p> <p>The Secretary of State should consider whether the mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respect of these measures should be included in any grant of development consent.</p>	<p>Several long-distance routes and public rights of way (PRoW) may be affected. As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however no public rights of ways will be closed temporarily without offering a diversion or alternative route as detailed in the Outline PAMP (APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p> <p>ES Chapter 27 Traffic and Transport (APP-082) comprises the assessment of potential impacts of the Project on traffic and transport receptors, including users of Public Rights of Way (PRoW). Users of PRoW impacted by the Project's construction were assessed, identifying significant effects on specific PRoW during summer as a worst case scenario and due to shared routes with construction traffic. The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>The impacts upon outdoor recreational land, long-distance routes, access/common land, greenspace, and coastal use have been assessed in Chapter 25 Land Use and are not predicted to be significant,</p>

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			<p>particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>ES Chapter 29 Socio-Economic Characteristics (APP-084) specifically considers impacts upon recreational users of the Macmillan Way, given this long distance walking route represents a tourism and recreation asset. The Macmillan Way is a long-distance walking route that overs 290 miles and uses existing footpaths bridleways and byways. It is used for sponsored walks, with funds raised donated to Macmillan Cancer Support. The assessment references the LVIA (APP-083) noting changes in landscape along part of the route are likely to have only a minor influence on the ability of the Macmillan Way to attract users and will have no influence in its ability to accommodate users. As such, the impact of the Project upon users of the Macmillan Way is not considered to be significant.</p>
Secretary of State decision making	EN-1 5.11.32 – 5.11.33	<p>The Secretary of State should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the Secretary of State determines that the benefits of the Project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by The Applicant to provide new, improved or compensatory land or facilities.</p> <p>The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.</p>	<p>Detail on existing or proposed outdoor recreational land can be found in Section 25.5 of Chapter 25 Land Use (APP-080) and is assessed in Section 25.7 of the chapter. The majority of the onshore ECC and OnSS are located on agricultural land. There are no Village Greens, Doorstep Greens, Millenium Greens, National Parks or Registered Parks and Gardens within the land use study area. The Lincolnshire Coastal Country Park covers a large area from the landfall to the towns of Huttoft, Mumby and Hogsthorpe consisting predominately of agricultural land with the main attractions located along the coast, including walking routes and the beach.</p> <p>This receptor would be impacted by the landfall construction, with the trenchless compound likely located within the Country Park resulting in a temporary localised change of land use for the construction period. This receptor's predominant land use is agriculture, rather than recreation, with its main recreational features being the King Charles III England Coast Path and PRoWs. The application includes an Outline Public Access Management Plan (APP-291) which sets out the approach to manage public access to PRoWs and recreational routes. With the inclusion of embedded mitigation measures such as the usage of trenchless techniques, the CoCP, Public Access Management Plan (PAMP), Soil Management Plan (SMP) and the reinstatement of land the effect on open space is not considered to be significant.</p> <p>Impacts on outdoor recreational land, ecological designations, long-distance routes, agri-environmental schemes, utilities, access/common land, greenspace, and coastal use are assessed within Chapter 25 Land Use (APP-080), which has predicted no significant adverse residual effects, particularly with regards to the several receptors where impacts are entirely avoided through the Project's design and bypassing beneath the receptor through the usage of trenchless techniques.</p> <p>Table 25.19 of Chapter 25 sets out embedded mitigation included the careful site selection which will ensure sensitive regions and areas of value, like playing fields will not be lost as a result of the Project.</p>
	EN-1 5.11.34	<p>The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.</p>	<p>The effects of Onshore infrastructure associated with the Project on agricultural land and agricultural holdings are considered in Section 25.7 of Chapter 25 Land Use (APP-080). The response to NPS EN-1 5.11.23 sets out how impacts on best and most versatile land have been minimised through site selection and mitigation and the resulting levels of impact. Given the location of the grid connection location, which was established as a result of the OTRN process, the moratorium on cable laying within the Wash, and the large areas of high-quality agricultural land within southern Lincolnshire, it was not possible to identify a route between the landfall and National Grid connection area that entirely avoided best and most versatile (BMV) agricultural land. In fact, all land within approximately 15km of the National Grid T-Junction at Weston Marsh is classified as BMV. As such, the total avoidance of BMV was not possible and steps to minimise impacts on BMV agricultural land had to be incorporated into the route/site identification</p>

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			process. These steps included the inclusion of ALC within the appraisal of 'Land use' when undertaking possible site identification and BRAG assessments long-list and short-list options for the onshore ECC and OnSS (ES 6.1.4: Site Selection and Alternatives (APP-059)). These assessments sought to minimise impacts on BMV land by directing the Project from areas of higher agricultural land classification to areas of lower classification, whilst giving sufficient consideration to other environmental and engineering constraints. The clearest example of this is the decision which was taken to realign the ECC from the initial route south of the A52, to a final route north of the A52. This design refinement, which was introduced following feedback from consultees, reduced the about of Grade 1 agricultural land from 88% to 23%.
	EN-1 5.11.35	In considering the impact on maintaining coastal recreation sites and features, the Secretary of State should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the Secretary of State should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009.	The Project has avoided meaningful interaction with open space such as coastal recreation sites. This is outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) in which the Project has undergone an iterative site selection process and has committed to trenchless drilling to minimise the extent of direct interaction with coastal features. This is secured by a requirement within the DCO. Whilst some temporary interaction with public rights of way is unavoidable, these interactions will be managed through the implementation of a PAMP, drafted in accordance with the principles and protocols set out in the Outline PAMP (APP-291) which comprises several mitigation measures that will ensure no effects on such amenity are significant.
	EN-1 5.11.36 – 5.11.37	When located in the Green Belt, energy infrastructure projects may comprise 'inappropriate development'. Inappropriate development is by definition harmful to the Green Belt. The NPPF makes clear that most new building is inappropriate in Green Belt and should be refused permission unless in very special circumstances. Very special circumstances are not defined in national planning policy as it is for the individual decision maker to assess each case on its merits and give relevant circumstances their due weight. However, when considering any planning application affecting Green Belt land, the Secretary of State should ensure that substantial weight is given to any harm to the Green Belt when considering any application for such development, while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. Very special circumstances may include the wider environmental benefits associated with increased production of energy from renewables and other low carbon sources.	The Project does not interact with areas designated as Green belt and so has no impact on the Green Belt.
	EN-1 5.11.38 & 5.11.40	In England, Local Green Spaces may be designated locally in Local Plans and Neighbourhood Plans. These enjoy the same protection as Green Belt in England and the Secretary of State should adopt a similar approach.  Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process.	
<b>EN-1 Part 5.12: Noise and Vibration</b>			
Noise and Vibration	EN-1 5.12.1 – 5.12.2	Excessive noise can have wide-ranging impacts on the quality of human life and health such as annoyance, sleep disturbance, cardiovascular disease and mental ill-health. It can also have an impact on the environment, and the use and enjoyment of areas of value such as quiet places and areas with high landscape quality.  The Government's policy on noise is set out in the Noise Policy Statement for England.	Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which has enabled the Project to be assessed against the principal aims of the NPSE which is referenced here.

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		It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to “noise” below apply equally to the assessment of impacts of vibration.	
	EN-1 5.12.4	Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the Secretary of State in accordance with the Biodiversity and Geological Conservation section of this NPS at Section 5.4. This should consider underwater noise and vibration especially for marine developments. Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production.	<p>In terms of impacts on fish and shellfish, a full underwater assessment on receptors is provided within Chapter 10 Fish and Shellfish Ecology (APP-065) and in respect of marine mammals this is set out within Chapter 11 Marine Mammals (APP-066).</p> <p>A piling MMMP will be developed and implemented during construction, following the principles set out in the Outline Marine Mammal Mitigation protocol (piling) (APP-279)) which will benefit fish and shellfish receptors in limiting noise impacts.</p> <p>Noise has been considered in respect of the onshore ecological receptors within the onshore ecology assessment with embedded mitigation set out within Section 21.7 of Chapter 21 Onshore Ecology (APP-076) and Section 22.6 of Chapter 22 Onshore Ornithology (APP-077). The embedded mitigation presented would prevent any harmful impacts as a result from noise. Section 26.7 of Chapter 26 Noise and Vibration (APP-081) has also assessed noise impacts on ecological receptors. The noise generated by all construction operations and the operational noise from the OnSS on International or National ecological sites situated near the landfall, ECC, 400kV cable corridor and OnSS have been predicted and assessed in accordance with the limits contained in AQTAG09 (Air Quality Technical Advisory Group 09), Guidance on the effects of industrial noise on wildlife, which is intended to be used to assess the potential adverse impact of sound, of an industrial and/or commercial nature on wildlife.</p> <p>The Applicant has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. The Applicant has provided an Outline Noise and Vibration Management Plan (APP-269) which sets out the noise and vibration management techniques which may (subject to the final design of the proposed Project) be implemented by the Applicant and its contractors during the construction of the onshore works.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.</p>
	EN-1 5.12.5	<p>Factors that will determine the likely noise impact of a proposed development include:</p> <ul style="list-style-type: none"> <li>▪ the inherent operational noise from the proposed development, and its characteristics</li> <li>▪ the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces)</li> <li>▪ the proximity of the proposed development to quiet places and other areas that are particularly valued for their soundscape or landscape quality</li> <li>▪ the proximity of the proposed development to sites where noise may have an adverse impact on protected species or other wildlife, including migratory species</li> </ul> <p>the potential presence of unexploded ordnance on the seabed</p>	<p>The factors listed within Paragraph 5.12.5 of EN-1 have been identified and considered in the ES assessments (and supporting appendices) within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul>
Applicant Assessment	EN-1	Where noise impacts are likely to arise from the proposed development, The Applicant should include the following in the noise assessment:	The factors listed within Paragraph 5.12.6-5.12.7 of EN-1 have been provided, where relevant, in the ES assessments (and supporting appendices) within the following chapters:

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	5.12.6 – 5.12.7	<ul style="list-style-type: none"> <li>▪ a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal characteristics, if the noise is impulsive, whether the noise contains particular high or low frequency content or any temporal characteristics of the noise;</li> <li>▪ identification of noise sensitive receptors and noise sensitive areas that may be affected;</li> <li>▪ the characteristics of the existing noise environment</li> <li>▪ a prediction of how the noise environment will change with the proposed development.</li> <li>▪ in the shorter term, such as during the construction period</li> <li>▪ in the longer term, during the operating life of the infrastructure</li> <li>▪ at particular times of the day, evening, and night (and weekends) as appropriate, and at different times of year</li> <li>▪ an assessment of the effect of predicted changes in the noise environment on any noise-sensitive receptors, including an assessment of any likely impact on health and quality of life/ well-being where appropriate particularly among those disadvantaged by other factors who are often disproportionately affected by noise-sensitive areas;</li> <li>▪ if likely to cause disturbance, an assessment of the effect of underwater or subterranean noise;</li> <li>▪ all reasonable steps taken to mitigate and minimise potential adverse effects on health and quality of life.</li> </ul> <p>The nature and extent of the noise assessment should be proportionate to the likely noise impact.</p>	<ul style="list-style-type: none"> <li>▪ ES Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ ES Chapter 11 Marine Mammals (APP-066)</li> <li>▪ ES Chapter 21 Onshore Ecology (APP-076)</li> <li>▪ ES Chapter 26 Onshore Noise and Vibration (APP-081)</li> </ul> <p>The assessment has considered all the aspects identified in paragraph 5.12.6 as set out in Sections 26.4 to 26.7 of Chapter 26 Onshore Noise and Vibration (APP-081)</p>
	EN-1 5.12.8	Applicants should consider the noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation.	<p>Construction and operational noise (including increased traffic levels, the use of plant and excavation works), has been assessed in Chapter 26 Noise and Vibration (APP-081). The chapter concludes construction traffic noise near the affected local road network is predicted to have a temporary minor adverse effect which is not significant under EIA Regulations with mitigation measures in place. Further to this, the Applicant has submitted an outline Code of Construction Practice (APP-268) and outline Noise and Vibration Management Plan (APP-269) which sets out the key principles and types of measures to be implemented during construction of the Project. Measures that could be implemented to mitigate noise from construction traffic on local roads include:</p> <ul style="list-style-type: none"> <li>▪ Vehicles not waiting or queuing up with engines running on the site or the public highway;</li> <li>▪ Vehicles properly maintained to comply with noise emissions standards;</li> <li>▪ Deliveries will be restricted to be within agreed working hours;</li> <li>▪ Coordination between construction phases to reduce the maximum daily construction vehicle movements, wherever practicable; and</li> <li>▪ Temporary sound barriers</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-1 5.12.9	Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards and other guidance. Further information on assessment of particular noise sources may be contained in the technology specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards and other guidance which also give examples of mitigation strategies.	The assessment of operational noise, with respect to human receptors, has been undertaken in accordance with the principles in the relevant technical guidance and British Standards as outlined in Section 26.2.5 of Chapter 26 Noise and Vibration (APP-081). Noise generated by the OnSS has been predicted at the nearest residential NSRs using the March 2024 Cadna/A noise modelling software and the methodology in ISO 9613-2:1996, Acoustics – Attenuation of Sound during Propagation Outdoors, and assessed at any identified residential receptors in accordance with BS 4142:2014+A1:2019 – Methods for Rating and Assessing Industrial and Commercial Sound, whereby sound levels associated with the operation of the OnSS are compared to measured day-time and night-time background sound levels at the closest receptors.
	EN-1 5.12.10	Some noise impacts will be controlled through environmental permits and parallel tracking is encouraged where noise impacts determined by an environmental permit interface with planning issues (i.e., physical design and location of development). The Applicant should consult the EA and/or the SNCB, and other relevant bodies, such as the MMO or NRW as necessary, and in particular regarding assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be considered.	The assessment of noise impacts on ecological receptors has been a point of discussion with the relevant stakeholder through the Applicant’s Evidence Plan Process (EPP). These are included in Chapter 21 Onshore Ecology (APP-076), Chapter 22 Onshore Ornithology (APP-077), Chapter 12 Offshore and Intertidal Ornithology (APP-067), Chapter 11 Marine Mammals (APP-066) and Chapter 10 Fish and Shellfish Ecology (APP-065).
	EN-1 5.12.11	In the marine environment, applicants should consider noise impacts on protected species, as well as other noise sensitive receptors, both at the individual project level and in-combination with other marine activities.	A full assessment of underwater noise on fish and shellfish receptors is provided in Section 10.6 of ES Chapter 10 Fish and Shellfish Ecology (APP-065). The assessment of underwater noise impacts in-combination with other marine activities is provided in Section 10.7. ES Chapter 11 Marine Mammals (APP-066) provides an assessment of underwater noise impacts upon marine mammals and of the impacts in-combination with other marine activities.  A piling Marine Mammal Mitigation Programme (MMMP) will be developed and implemented during construction following the principles set out in the Outline MMMP (APP-278). Whilst the implementation of a MMMP is aimed at marine mammals and not at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors. Embedded mitigation in relation to fish and shellfish ecology is provided in Table 10.8 of ES Chapter 10.
	EN-1 5.12.12	Applicants should submit a detailed impact assessment and mitigation plan as part of any development plan, including the use of noise mitigation and noise abatement technologies during construction and operation.	A detailed assessment of the potential impacts of Onshore Noise and Vibration from the Project is provided in ES Chapter 26 Noise and Vibration (APP-081).  The Chapter describes the scope, relevant legislation, assessment methodology, and the baseline conditions existing at the site and its surroundings. It considers any potential significant environmental effects the Project would have on this baseline environment; the mitigation measures required to prevent, reduce or offset any significant adverse effects; and the likely residual effects after these measures have been employed. Cumulative noise and/or vibration effects with other proposed developments that may also have an impact on the sensitive receptors close to the Project are also considered.  The Project has made a number of commitments to reduce and minimise impacts from construction noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Mitigation for reducing noise and vibration is described in Section 26.5.3 of Chapter 26 Noise and Vibration (APP-081). Additional mitigation may be required, subject to the final design, as described in the Outline Noise and Vibration Management Plan (APP-269). Flexibility is retained at this stage to allow the principles of good design and avoidance of effect to be applied post-consent, with mitigation applied only where avoidance is not possible. . Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
Mitigation	EN-1 5.12.13 – 5.12.14	<p>The Secretary of State should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the Project application. In doing so the Secretary of State may wish to impose mitigation measures. Any such mitigation measures should take account of the NPPF or any successor to it and the Planning Practice Guidance on Noise.</p> <p>Mitigation measures may include one or more of the following:</p> <ul style="list-style-type: none"> <li>▪ engineering: reducing the noise generated at source and/or containing the noise generated</li> <li>▪ lay-out: where possible, optimising the distance between the source and noise-sensitive receptors and/or incorporating good design to minimise noise transmission through the use of screening by natural or purpose-built barriers, or other buildings</li> <li>▪ administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites</li> <li>▪ insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.</li> <li>▪</li> </ul>	<p>During construction, including landfall, onshore ECC, 400kV cable corridor and OnSS activities, temporary minor to major adverse noise and vibration effects are anticipated. The mitigation measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours will aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary minor adverse effects will be experienced at the identified receptors which are non-significant in terms of the EIA Regulations.</p> <p>Operational noise levels from the OnSS may result in permanent moderate adverse effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to minor adverse which are nonsignificant in terms of the EIA Regulations.</p> <p>During the decommissioning phase, anticipated noise and vibration levels during decommissioning activities are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required</p> <p>As significant noise and vibration effects are not predicted for the Project, additional mitigation is not considered necessary, or appropriate, over and above that proposed within the ES Chapters, CoCP (and associated environmental management plans including the noise and vibration management plan).</p> <p>Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303):</p> <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul>
	EN-1 5.12.15 – 5.12.16	<p>The project should demonstrate good design through selection of the quietest or most acceptable cost-effective plant available; containment of noise within buildings wherever possible, taking into account any other adverse impacts that such containment might cause (e.g. on landscape and visual impacts; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission).</p> <p>A development must be undertaken in accordance with statutory requirements for noise. Due regard must be given to the relevant sections of the Noise Policy Statement for England, the NPPF, and the government’s associated planning guidance on noise. In</p>	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project (taking into account statutory requirements like the NPPF) has undergone an iterative design and site selection process, to ensure the greatest contribution to renewable energy targets possible, whilst minimising environmental impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC, the 400kV cable corridor and OnSS.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Wales the relevant policy will be PPW and the TANs, as well as the Welsh Government's Noise and Soundscape Action Plan.</p>	<p>The Design Principles Statement (APP-293) sets out the key design principles adopted by the Project for the onshore substation (OnSS), as well as outlining the design elements that will be agreed through the Design Review Process and how these will be implemented throughout the detailed design of the Project. The Design Principles Statement records the principles that come out of the design review and consultation process. Section 3.3.3 sets out the requirement for noise attenuation within the final design of the OnSS to reduce the noise emitted from external equipment as close as possible to the source. Details of operational noise management are required to be submitted for approval prior to construction as part of the pack of final design documents, which will reflect the detailed technical specification of the actual equipment being deployed. It may be possible to procure equipment with a lower noise emission level, compared with the assumptions used for assessment, which may reduce or remove the requirement for additional mitigation.</p> <p>Section 26.2 of Chapter 26 Noise and Vibration (APP-081) provides an overview of the statutory and policy context the Project has had due regard to with respect to noise and vibration, which includes:</p> <ul style="list-style-type: none"> <li>▪ The NPSs</li> <li>▪ NPPF (also see Table 1.4 in this document)</li> <li>▪ Noise Policy Statement for England</li> <li>▪ Local Planning Policy (also see Tables 1.7 and 1.8 in this document)</li> </ul> <p>Regarding noise, the siting of the proposed OnSS has taken into account the locations of the nearest sensitive receptors and embedded measures have been proposed to avoid and mitigate effects, which are set out in Section 26.5 of Chapter 26 Noise and Vibration (APP-081). Further to this, Section 26.5.3 of Chapter 26 outlines mitigation measures that will be implemented from the construction-decommissioning stages which include the Outline Noise and Vibration Management Plan (APP-269). The measures proposed will ensure there will be no significant effects in relation to noise and vibration as confirmed within Chapter 26 Noise and Vibration (APP-081).</p>
Secretary of State decision making	EN-1  5.12.17	<p>The Secretary of State should not grant development consent unless they are satisfied that the proposals will meet the following aims, through the effective management and control of noise:</p> <ul style="list-style-type: none"> <li>▪ avoid significant adverse impacts on health and quality of life from noise;</li> <li>▪ mitigate and minimise other adverse impacts on health and quality of life from noise;</li> <li>▪ where possible, contribute to improvements to health and quality of life through the effective management and control of noise</li> </ul>	<p>Chapter 26 Noise and Vibration (APP-081) describes how a set of assessment criteria have been developed which have enabled the Project to be assessed against the principal aims of the NPS. Appropriate mitigation and noise management and control are detailed in the Outline Noise and Vibration Management Plan (APP-269).</p> <p>During construction, potential noise and vibration effects are anticipated through measures outlined in the detailed design, the implementation of a noise and vibration management plan and set construction hours that aim to address the impacts and minimise the potential for noise and vibration impacts as far as reasonably practicable so, at worst, temporary non-significant effects are experienced at the identified receptors.</p> <p>Unmitigated operational noise levels from the OnSS may result in significant effects on residential receptors. However, the implementation of measures such as acoustic enclosures, silencers, and covers is expected to mitigate these impacts to a level that is not significant.</p> <p>During the decommissioning phase, anticipated noise and vibration levels are not expected to surpass worst-case criteria established during the construction phase, assuming no night-time or piling decommissioning operations are required.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The Project has made a number of commitments to reduce and minimise impacts from noise and vibration on human and ecological receptors including using minor drills wherever possible, avoiding areas of key sensitivity and ensuring work is carried out in accordance with a detailed Noise and Vibration Management Plan. Following the incorporation of such commitments no significant effects have been identified in relation to noise and vibration.
	EN-1  5.12.18	When preparing the Development Consent Order, the Secretary of State should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. These requirements or mitigation measures may apply to the construction, operation, and decommissioning of the energy infrastructure development.	Measures to mitigate construction and operational noise are controlled through the following DCO Requirements as set out in the draft DCO (APP-303): <ul style="list-style-type: none"> <li>• Requirement 9 (Detailed onshore design parameters)</li> <li>• Requirement 18 (Code of construction practice, to include the final noise and vibration management plan)</li> <li>• Requirement 21 (Construction Traffic Management Plan)</li> <li>• Requirement 25 (Control of noise during operational phase)</li> </ul> No additional mitigation is therefore required; Chapter 26 Noise and Vibration (APP-081) concludes that there will be no significant effects with respect to noise and vibration following the proposed mitigation.
<b>EN-1 Part 5.13: Socio-economics</b>			
Applicant Assessment	EN-1  5.13.2 – 5.13.3	Where the Project is likely to have socio-economic impacts at local or regional levels, the Applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.3).  The Applicant is strongly encouraged to engage with relevant local authorities during early stages of project development so that The Applicant can gain a better understanding of local or regional issues and opportunities.	Impacts on the region have been outlined within Chapter 29 Socio-Economic Characteristics (APP-084). The feedback from the consultation programme and members of the Expert Topic Groups, including relevant local authorities, is outlined in Chapter 29 Socio-Economic Characteristics (APP-055).  ES Chapter 29 Socio-Economic Characteristics (APP-084) comprises the assessment of potential impacts of the Project on socio-economic, tourism and recreation receptors. The assessment recognises that economic impacts will occur across a wider area than the area of the onshore export cable route and onshore substation site (OnSS). Impacts will also be centred around other areas such as the potential ports used for construction and operations. Therefore, economic impacts have been quantified across three onshore study areas. <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas. This area includes all the potential sites for onshore infrastructure construction and the possible location of the key port locations in the UK.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK.</li> </ul> Consultation regarding Socioeconomics, Tourism and Recreation has been conducted through the Evidence Plan Process (EPP), Expert Technical Group (ETG) meetings, the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the statutory pre-application consultation process informed by the Preliminary Environmental Information Report (PEIR) (Outer Dowsing Offshore Wind, 2023). An overview of the Project's technical consultation process is presented within Volume 1, Chapter 6: Technical Consultation (APP 6.1.6) and wider consultation is presented in the Consultation Report (APP-032).
	EN-1  5.13.4	The Applicant's assessment should consider all relevant socio-economic impacts, which may include: <ul style="list-style-type: none"> <li>▪ the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero;</li> </ul>	Chapter 29 Socio-Economic Characteristics (APP-084) has considered all relevant socio-economic impacts. Throughout this chapter the impacts on socioeconomics and tourism from the construction, operations and decommissioning of the Project are considered. In particular, the following impacts have been considered: <ul style="list-style-type: none"> <li>▪ Impacts on employment are considered in Section 29.8;</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<ul style="list-style-type: none"> <li>▪ the contribution to the development of low-carbon industries at the local and regional level as well as nationally;</li> <li>▪ the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities;</li> <li>▪ any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains;</li> <li>▪ effects (positive or negative) on tourism and other users of the area impacted;</li> <li>▪ the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development;</li> <li>▪ Cumulative effects - if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Impacts on local services and social infrastructure, such as schools and health services are considered in Section 29.8;</li> <li>▪ Sustainability of jobs is considered alongside the impact on employment from the Project in Section 29.8;</li> <li>▪ The contribution to the development of low-carbon industries in each of the Study Areas is considered in Section 29.8;</li> <li>▪ The impacts on Gross Value Added (GVA) and employment include indirect/supply chain impacts, as considered in Section 29.8;</li> <li>▪ Impacts on demographics from transient workers and their implications are considered in Section 29.8;</li> <li>▪ Effects on tourism are considered in Section 29.8; and</li> <li>▪ Cumulative effects are considered in Section 29.9.</li> </ul> <p>The assessment concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction. The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms. The assessment has identified no significant impacts on social and community assets.</p> <p>The Applicant has also engaged with local schools in Lincolnshire, including attendance at the Careers Fair at John Spendluffe School, Lincolnshire (30 March 2023) and Future Fest at Peter Paine Performance Centre, Boston (5 July 2024) to promote employment opportunities within the offshore wind industry. Following consent, actions to ensure the skills and employment benefits that the Project can help deliver locally and nationally will be set out within the Supply Chain Plan required under the CfD supply chain process (Chapter 29 Socio-Economic Characteristics (APP-084)).</p>
	EN-1 5.13.5	Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	<p>A description of the existing socio-economic conditions and tourism activity is provided in the Baseline Environment section 29.4 of Chapter 29 (APP-084). The study area for the assessment considers three onshore study areas.</p> <ul style="list-style-type: none"> <li>▪ The Local Economic Area (LEA), defined as the combined geographies of the Greater Lincolnshire Local Enterprise Partnership (LEP) and the Hull and East Yorkshire LEP areas.</li> <li>▪ The Regional Area, defined as the combined English regions of Yorkshire and the Humber and East Midlands.</li> <li>▪ The economic impacts will also be assessed at the level of the UK</li> </ul> <p>East Lindsey Local Plan Core Strategy is considered as part of the Strategic baseline in Section 29.4.3</p>
	EN-1 5.13.6	Socio-economic impacts may be linked to other impacts, for example visual impacts considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to demonstrate that local suppliers have been considered in any supply chain.	<p>Chapter 29 Socio-Economic Characteristics (APP-084) takes into account several other impacts and has been written alongside the following chapters, which are presented in Volume 1 of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 17: Seascape, Landscape and Visual (APP-072);</li> <li>▪ Chapter 18: Infrastructure and Other Marine Users (APP-073);</li> <li>▪ Chapter 25: Land Use (APP-080);</li> <li>▪ Chapter 26: Noise and Vibration (APP-081);</li> <li>▪ Chapter 27: Traffic and Transport (APP-082); and</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>Chapter 28: Landscape and Visual Assessment (APP-083).</li> </ul>
	EN-1 5.13.7	Applicants should consider developing accommodation strategies where appropriate, especially during construction and decommissioning phases, that would include the need to provide temporary accommodation for construction workers if required.	The Planning Inspectorate has concurred in their Scoping Opinion (Planning Inspectorate, 2022) that the Project can scope out demographic and service demand impacts within Chapter 29 Socio-Economic Characteristics (APP-084), including long term housing/accommodation, during the Operations and Maintenance (O&M) phase.
Mitigation	EN-1 5.13.8	The Secretary of State should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project has undergone an iterative design and site selection process, to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising socio-economic impacts and following principles of good design. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>Minimising the disruption to populated areas; and</li> <li>The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Specific mitigation relating to socio-economic impacts are contained within Section 29.6 of Chapter 29 Socio-Economic Characteristics (APP-084). The chapter confirms that the Project will take a proactive approach to mitigation and enhancement measures to maximise the positive effects of the Project and minimise any negative effects that are identified. Negative socio-economic, tourism and recreational impacts associated with the construction of the Project will be a secondary effect of other identified environmental impacts, such as those identified in the other assessment chapter of the ES (APP-055).</p> <p>The Project will consider the following measures to maximise local economic benefit:</p> <ul style="list-style-type: none"> <li>Proactively engaging with local economic development stakeholders and industry groups to understand the capacity for local companies to be involved in the supply chain for the Project;</li> <li>Proactively supporting Tier 1 contractors to increase their local content;</li> <li>Working with local economic development stakeholders to identify any potential barriers to entry for this market and actively work towards removing these barriers</li> <li>Engaging at an early stage with education and training providers to identify potential skills gaps and opportunities for collaboration;</li> <li>Engaging with other developers in the area to improve opportunities for the local supply chain; and</li> <li>Including reporting requirements on the level of UK content as part of the tendering process for contracts.</li> </ul>
Secretary of State decision making	EN-1 5.13.9 – 5.13.12	<p>The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by The Applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision. The Secretary of State may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS).</p> <p>The Secretary of State should consider any relevant positive provisions The Applicant has made or is proposing to make to mitigate impacts (for example through planning</p>	<p>The assessment of socio-economic, tourism and recreation effects is provided in ES Chapter 29 Socio-Economic Characteristics (APP-084) and concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction.</p> <p>The assessment has identified positive effects on the economy of the Local Economic Area, the Regional Area and the UK during both the O&amp;M and decommissioning phases, however the magnitude of these impacts are not significant in EIA terms.</p> <p>The assessment has identified no significant impacts on social and community assets.</p>

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		<p>obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.</p> <p>The Secretary of State may wish to include a requirement that specifies the approval by the local authority of an employment and skills plan detailing arrangements to promote local employment and skills development opportunities, including apprenticeships, education, engagement with local schools and colleges and training programmes to be enacted.</p>	<p>The draft DCO (APP-303), includes a Requirement for a skills, supply chain and employment plan. Requirement 30 (Skills, supply chain and employment) provides that prior to commencement of any stage of the onshore works, a skills, supply chain and employment plan in relation to that stage must be submitted to and approved by the relevant planning authority in consultation with Lincolnshire County Council. The plan to be submitted must identify opportunities for individuals and businesses to access employment and supply chain opportunities associated with that stage of the onshore works and the means for publicising such opportunities. The approved skills, supply chain and employment plan must be implemented as approved.</p>
<b>EN-1 Part 5.14: Traffic and Transport</b>			
Traffic and Transport	EN-1 5.14.1 – 5.14.3	<p>The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects.</p> <p>Environmental impacts may result particularly from trips generated on roads which may increase noise and air pollution as well as greenhouse gas emissions.</p> <p>Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.</p> <p>The consideration and mitigation of transport impacts is an essential part of Government’s wider policy objectives for sustainable development as set out in Section 2.6 of this NPS.</p>	<p>The transport assessment within Chapter 27 Traffic and Transport (APP-082) considers onshore impacts. The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). This approach was subsequently presented and agreed upon through the ETG process.</p> <p>A quantitative and qualitative assessment of potential traffic and transport effects associated with worst-case construction activities was conducted using methods outlined in Guidelines on the Environmental Assessment of Traffic and Movement<sup>9</sup> (GEATM), Design Manual for Roads and Bridges<sup>10</sup> (DMRB), and professional judgment. The assessment considers several social, environmental and economic impacts as listed below:</p> <ul style="list-style-type: none"> <li>▪ Driver Severance and Delay;</li> <li>▪ Community Severance;</li> <li>▪ Vulnerable Road Users and Road Safety;</li> <li>▪ Pedestrian Amenity;</li> <li>▪ Abnormal Indivisible Loads (AILs); and</li> <li>▪ Users of Public Rights of Way (PRoW).</li> </ul> <p>Section 27.6.4 sets out the embedded and applied mitigation that will be required as part of the Project. The Outline Construction Traffic Management Plan (OCTMP) (APP-289) and Outline Travel Plan (OTP) (APP-290) provide details on how traffic would be managed. Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport.</p>
Applicant Assessment	EN-1 5.14.5 – 5.14.7	<p>If a project is likely to have significant transport implications, The Applicant’s ES (see Section 4.3) should include a transport appraisal. The DfT’s Transport Analysis Guidance (TAG) and Welsh Governments WeBTAG provides guidance on modelling and assessing the impacts of transport schemes.</p> <p>National Highways and Highways Authorities are statutory consultees on NSIP applications including energy infrastructure where it is expected to affect the strategic road network and / or have an impact on the local road network. and applicants should consult with National Highways and Highways Authorities as appropriate on the assessment and mitigation to inform the application to be submitted.</p>	<p>Consideration of the construction, and decommissioning phases of the Project are set out in Chapter 27 Traffic and Transport (APP-082).</p> <p>A transport appraisal is submitted as part of Chapter 27 Traffic and Transport (APP-082). The Traffic and Transport chapter and supporting annexes have been produced in accordance with current transport guidance and this is evidenced throughout.</p> <p>Consultation regarding traffic and transport has been conducted through the following processes:</p> <ul style="list-style-type: none"> <li>▪ Evidence Plan Process (EPP) including Expert Topic Group (ETG) meetings. Traffic and Transport was covered by the Traffic &amp; Transport, Air Quality, Noise, Health and Socio-economics ETG which included Lincolnshire County Council and National Highways.</li> <li>▪ EIA scoping process (ODOW, 2022);</li> </ul>

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		<p>The Applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The Applicant should also provide details of proposed measures to improve access by active, public, and shared transport to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need for parking associated with the proposal;</li> <li>▪ contribute to decarbonisation of the transport network; and</li> <li>▪ improve user travel options by offering genuine modal choice.</li> </ul> <p>The assessment should also consider any possible disruption to services and infrastructure (such as road, rail, and airports).</p>	<ul style="list-style-type: none"> <li>▪ Bilateral engagement with relevant stakeholders;</li> <li>▪ Section 42 consultation process (Phase 2 Consultation, the Autumn Consultation and the Targeted Winter Consultation).</li> </ul> <p>An overview of the Project’s consultation process with reference to technical considerations is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and summarised in Consultation Report (APP-032) with detail provided in Consultation Report Appendix 15 Evidence Plan Process Consultation (APP-052). Further information on the Project’s consultation phases can be found in Section 27.3 of ES Chapter 27 which summarises consultation with National Highways, Network Rail and Highways Authorities as appropriate on the assessment and mitigation.</p> <p>The mitigation section of ES Chapter 27 sets out the embedded and applied mitigation that will be required as part of the Project. The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The Outline Construction Traffic Management Plan (APP-289) and the Outline Travel Plan (APP-290) provides a framework for promoting and encouraging a reduction in private car usage during the construction phase of the Project..</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements.</p>
	EN-1 5.14.9 – 5.14.10	<p>If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision.</p> <p>Applicants should discuss with network providers the possibility of co-funding by government for any third-party benefits. Guidance has been issued which explains the circumstances where this may be possible, although the government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.</p>	<p>Chapter 27 Traffic and Transport (APP-082) concludes that the impact on the transport infrastructure is considered to be at acceptable levels in light of the proposed additional mitigation which includes the Construction Travel Management Plan (APP-289) and the Public Access Management Plan (APP-291) and therefore no additional transport infrastructure is needed or proposed.</p>
Mitigation	EN-1 5.14.11- 5.14.12	<p>Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to:</p> <ul style="list-style-type: none"> <li>▪ reduce the need to travel by consolidating trips,</li> <li>▪ locate development in areas already accessible by active travel and public transport,</li> <li>▪ provide opportunities for shared mobility,</li> <li>▪ re-mode by shifting travel to a sustainable mode that is more beneficial to the network,</li> <li>▪ retime travel outside of the known peak times,</li> <li>▪ reroute to use parts of the network that are less busy.</li> </ul> <p>If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable</p>	<p>The Outline Travel Plan (OTP) (APP-290) OTP will include demand management measures to be adopted.</p> <p>Mitigation measures proposed in the Chapter will manage routing and timing of HGV and staff movements. The strategy for access has selected routes that where possible, seek to reduce the impact of traffic upon local communities. Trenchless techniques will be used underneath the railway and key roads (this will be assessed based on the importance of the road and the impacts on driver delay and the feasibility of using open trenching with single lane closures).</p> <p>The Project has committed to the construction of a temporary haul road along each open trenched section of the onshore ECC, with distinct access points to reduce construction traffic on local roads. Prioritise the use of haul roads where practicable, to minimise construction vehicles on the highway network. In particular, using the haul road to form a by-pass so that HGVs can avoid Skegness.</p>

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		alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.	
	EN-1 5.14.13 – 5.14.14	<p>Regard should always be given to the needs of freight at all stages in the construction and operation of the development including the need to provide appropriate facilities for HGV drivers as appropriate.</p> <p>The Secretary of State may attach requirements to a consent where there is likely to be substantial HGV traffic that:</p> <ul style="list-style-type: none"> <li>▪ control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements</li> <li>▪ make sufficient provision for HGV parking, and associated high quality drive facilities either on the site or at dedicated facilities elsewhere, to support driver welfare, avoid ‘overspill’ parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions</li> </ul> <p>ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.</p>	<p>The assessment of the increases in heavy goods vehicles (HGVs) associated with the construction phase of the Project is set out in Section 27.8 of Chapter 27 Traffic and Transport (APP-082). Welfare facilities including offices and canteen and washroom facilities will be provided within the Primary Construction Compounds (PCCs) and Secondary Construction compounds (SCCs).</p> <p>Any impacts of increases in HGVs are further reduced by the types of traffic management measures that would be implemented as set out in the Outline Construction Travel Management Plan (APP-289) and mitigation such as schemes of passing places that are proposed (Annex N of the Volume 3, Appendix 27.1 (APP-229) and therefore considered to be an acceptable impact.</p> <p>The Outline CTMP (APP-289) states that no parking will be permitted on public roads and that the appropriate authorities and emergency services will be consulted regarding HGV movements during the construction of the Project.</p> <p>Routing for HGV movements is being identified, as well as proposed working hours, to minimise the impact of the Project on the surrounding highway network as per Chapter 27 Traffic and Transport (APP-082) and the CTMP (APP-289)</p> <p>The need for any permits from relevant road and bridge authorities in relation to the transportation of AILs will be obtained in advance of construction, following assessment of routes.</p> <p>The draft DCO (document 3.1) includes Requirement 21 (Traffic) that no stage of the onshore works can commence until a construction traffic management plan (in accordance with the outline construction traffic management plan) and a travel plan (in accordance with the outline travel plan) in respect of that stage have been submitted to and approved by the relevant highway authority in consultation with the relevant planning authority. The requirement requires that the plans are implemented on commencement of the relevant stage of the onshore works.</p> <p>In addition there are DCO Requirements controlling construction hours (Requirement 19 (Construction hours)), and more general construction measures within the Code of Construction Practice (Requirement 18 (Code of construction practice)).</p>
	EN-1 5.14.15 – 5.14.17	<p>The Secretary of State should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.</p> <p>Applicants should consider the DfT policy guidance “Water Preferred Policy Guidelines for the movement of abnormal indivisible loads” when preparing their application.</p> <p>If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation</p>	<p>Section 27.6.3 of Chapter 27 Traffic and Transport (APP-082) outlines the embedded traffic and transport mitigation measures for the construction phase of the Project, such as the Outline TP (APP-290), which will include demand management measures to be adopted to advocate sustainable patterns of travel.</p> <p>The Applicant would endeavour to identify the closest port to the Study Area for the delivery of the abnormal indivisible loads (AILs) required for the Project to minimise the movement of these on the highway network. The delivery of Special Order AILs will be small in number. The delivery route is anticipated to be between Port Sutton Bridge and the OnSS location and Surfleet Marsh.</p>

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		by the Secretary of State of any obligations or requirements needed to secure the mitigation.	An assessment of the anticipated vehicle type that would be used to transport the AIL between Port Sutton Bridge and the OnSS location is provided in Annex A of Volume 3, Appendix 27.1 Transport Assessment (APP-218).
Secretary of State decision making	EN-1 5.14.18 – 5.14.19	<p>A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the Secretary of State should therefore ensure that the Applicant has sought to mitigate these impacts, including during the construction phase of the development and by enhancing active, public and shared transport provision and accessibility.</p> <p>Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the Secretary of State should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below.</p>	<p>Chapter 27 Traffic and Transport (APP-082) has considered the potential traffic and transport effects arising from onshore activities associated with the Project. Consideration has been given to potential worst-case effects arising from onshore construction and decommissioning activities based upon available information. Worst-case parameters have been adopted to provide a robust assessment.</p> <p>The assessment considers the potential impacts associated with an increase in construction traffic and potential disruption to the National Railway where construction vehicles may cross the railway line. The assessment considers construction and decommissioning impacts as once the Project has been constructed there would be no significant levels of traffic movements, based on The Planning Inspectorate’s Scoping Opinion (September 2022). Based on the number of the Project construction vehicles forecast in the peak hours on the highway network in the study area, a formal assessment of impacts on the division of space and people by transport and traffic delay was scoped out.</p> <p>The implications of temporary lane or road closures associated with open trenching were evaluated in terms of driver severance and delay. The assessment found no significant effects outside of the summer months, except for Marsh Road, where a short-term closure would require careful planning and communication to the public but results in negligible residual effects.</p> <p>The assessment has considered impacts of increased daily construction vehicle movements associated with the Project. The outcome of the assessment revealed no significant effects on community severance, vulnerable road users and road safety, pedestrian amenity and from dust and dirt.</p> <p>The Project has made a number of commitments to reduce and minimise impacts from traffic and transport including the implementation of a Construction Traffic Management Plan, a Travel Plan (specific to the workforce) and a Public Access Management Plan (PAMP). The implementation of the final PAMP will incorporate measures agreed upon with relevant authorities to minimise impacts by minimising the length and duration of any temporary diversion and providing warning signage and segregation (where feasible) for users on shared routes. These measures would further reduce the level of effect and not be considered significant.</p> <p>Additional commitments to mitigate impacts include the use of trenchless techniques (such as horizontal direction drilling) for the installation of the export cable under a number of roads, including the main ‘A’ roads in the study area, which would not require a temporary road or lane closure. The Project has further identified a number of highway improvements such as new passing places and other widening on the local construction vehicle access routes to facilitate the required construction vehicles.</p> <p>Following the incorporation of such commitments no significant effects have been identified in relation to traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.</p>
	EN-1 5.14.20	Development consent should not be withheld provided that The Applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be	As summarised in the response to NPS En-1 5.14.18 to 5.14.19 above, following the incorporation of mitigation measures proposed by the Applicant, no significant effects have been identified in relation to

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		imposed to mitigate transport impacts. In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure.	traffic and transport. As such, additional requirements to mitigate adverse impacts on transport networks arising from the development are not considered to be necessary.
	EN-1 5.14.21	The Secretary of State should only consider refusing development on highways grounds if there would be an unacceptable impact on highway safety, residual Cumulative impacts on the road network would be severe, or it does not show how consideration has been given to the provision of adequate active public or shared transport access and provision.	The assessment for Traffic and Transport assesses the potential impacts from the increase in vehicle movements, particularly during the construction period leading to driver delay and severance. Other impacts which have been assessed include the impacts upon users of public rights of way, vulnerable road users and road safety. The assessment shows there would not be unacceptable impacts on highway safety or severe residual Cumulative impacts on the road network, and proposals are included to promote public or shared transport within the Outline TP (APP-290),  Overall, it is considered that there will be no significant effect upon Transport and Traffic receptors.
<b>EN-1 Part 5.15: Resource and Waste Management</b>			
Resource and Waste Management	EN-1 5.15.1	Government policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible and disposal is required as a last resort, waste management regulation ensures that waste is disposed of in a way that is least damaging to the environment and to human health.	As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.  The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.
	EN-1 5.15.2	Sustainable waste management is implemented through the waste hierarchy, which sets out the priorities that must be applied when managing waste. These are (in order): <ul style="list-style-type: none"> <li>▪ prevention;</li> <li>▪ preparing for reuse</li> <li>▪ recycling</li> <li>▪ other recovery, including energy recovery</li> <li>▪ disposal</li> </ul>	All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).
	EN-1 5.15.3	Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005  In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.  The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly
	EN-1 5.15.4	All large infrastructure projects are likely to generate some hazardous and non-hazardous waste. The EA's Environmental Permit regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to demonstrate that processes are in place to meet all relevant Environmental Permit requirements.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
Applicant Assessment	EN-1 5.15.6	Applicants must demonstrate that development proposals are in line with Defra's policy position on the role of energy from waste in treating residual waste.	The proposals do not relate to energy from waste for the treatment of municipal waste and so this paragraph does not apply to the Project.

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	EN-1 5.15.7 – 5.15.8	<p>The proposed plant must not compete with greater waste prevention, re-use, or recycling, or result in over-capacity of EfW or similar processes for the treatment of residual waste at a national or local level.</p> <p>The Applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities.</p>	<p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p>
	EN-1 5.15.9	<p>The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation.</p>	<p>Chapter 23 Geology and Ground Conditions (APP-078) includes reference to relevant legislation and defines the management responsibilities and procedures that will be in place during the construction phase. The approach to managing waste is set out within the Outline Code of Construction Practice and the SWMP (APP-274). which sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit for approval.</p> <p>A key element of the detailed SWMP will be to minimise the amount of waste disposal from site by aiming to reduce, reuse waste on site or recycle. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p>
	EN-1 5.15.10 5.15.11	<p>The Applicant is encouraged to refer to the Waste Prevention Programme for England: Maximising Resources Minimising Waste and 'Towards Zero Waste: Our Waste Strategy for Wales' and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.</p> <p>If The Applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process</p>	<p>The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project with respect to waste. The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>As stated within Chapter 8: Marine Water and Sediment Quality (APP-063), whilst the Project is not a dredging project it does involve a proposal to dredge, drill and dispose of seabed sediments within the draft Order Limits. Regarding disposal, The Applicant has considered the need for disposal sites as part of the updated assessment presented in the ES. Dredged material will be deposited within an area of</p>

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			similar sediment characteristics, in close proximity to the dredge location in order to retain sediment within the sediment transport system.
	EN-1  5.15.12 – 5.15.13	<p>Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources, and local suppliers. Construction best practices should be used to ensure that material is reused or recycled onsite where possible.</p> <p>Applicants are also encouraged to use construction best practices in relation to storing materials in an adequate and protected place on site to prevent waste, for example, from damage or vandalism. The use of Building Information Management tools (or similar) to record the materials used in construction can help to reduce waste in future decommissioning of facilities, by identifying materials that can be recycled or reused.</p>	<p>The Applicant has committed to reusing materials wherever practicable, which includes the re-use of soils that will be secured within a Soil Management Plan (APP-271) that the Applicant has committed to producing.</p> <p>The Outline Site Waste Management Plan (APP-274) confirms that wastes will be categorised and managed appropriately, with all options for reusing or recycling on-site considered prior to pursuing any off-site possibilities for reuse, recycling or ultimately for final disposal. This will be achieved through regular reviews of waste generation with the aim of improving the rate of segregation and recycling to minimise the future requirement for disposal of wastes to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them). Adequate storage arrangements for waste local to the work areas will need to be in place to prevent uncontrolled collections of waste on site occurring during the day and a suitable frequency of transfer of any gathered wastes to the main waste management area shall be maintained by contractors to prevent windblown rubbish etc.</p>
Secretary of State decision making	EN-1 5.15.14	<p>The Secretary of State should consider the extent to which The Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development.</p> <p>The Secretary of State should be satisfied that:</p> <ul style="list-style-type: none"> <li>▪ any such waste will be properly managed, both on-site and off-site.</li> <li>▪ the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area.</li> </ul> <p>adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome</p>	<p>As stated within Section 23.5 of ES Chapter 23 Geology and Ground Conditions (APP-078), a Site Waste Management Plan (SWMP) will form part of the CoCP.</p> <p>The detailed SWMP will include measures to manage and reduce the amount of waste produced by construction of onshore elements of the Project through a process of identification of wastes, input to the design process, and the continued measurement and management of wastes to achieve the most sustainable level in the waste hierarchy. This will actively discourage sending waste to landfill.</p> <p>All contractors producing waste on site shall carry out their own assessment of their activities to ensure that their waste as generated has been minimised and that they have considered opportunities for the waste to be reused or recycled in preference to seeking disposal (e.g. returning empty wooden pallets to suppliers rather than scrapping them).</p> <p>Any wastes found to be hazardous will be stockpiled or stored separately from any non-hazardous stockpiles. Appropriate action will be taken in accordance with the Hazardous Waste (England and Wales) Regulations 2005</p> <p>The Applicant has provided an Outline Site Waste Management Plan (APP-274) that sets out the key elements that will be included in the detailed SWMP which the Applicant will be required to submit to the Environment Agency (EA) and the relevant Local Planning Authority (LPA) for approval in consultation with Lincolnshire County Council (LCC) prior to commencement of construction. All efforts will be made to minimise the volume of waste removed from site for disposal and targets will be set accordingly</p> <p>The Outline SWMP considers the volume of materials that will arise from the Project, and the impact upon local waste treatment facilities. It provides a brief judgement as to whether the wastes can comfortably be managed by local facilities, or whether there may be a risk of significant waste storage</p>

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			<p>requirements and/or an over-burden upon local facilities that require transport of wastes to other facilities.</p> <p>The wastes outlined within the Outline SWMP are expected to amount to negligible volumes overall compared to the overall capacity of waste facilities and capacity in Lincolnshire. Based on this information, the impact on local waste management facilities will be negligible due to the small volume of wastes to be managed.</p> <p>In summary the SWMP will ensure appropriate management of wastes has been considered in line with the waste hierarchy.</p>
	EN-1 5.15.16 – 5.15.17	Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The draft DCO (APP-303), includes Requirement 18 (Code of construction practice) which provides that the relevant stage of the onshore transmission works shall not commence until a code of construction practice for that stage of the onshore transmission works has been submitted to and approved by the relevant planning authority following consultation, as appropriate, with Lincolnshire County Council, the Environment Agency, relevant statutory nature conservation body and, if applicable, the MMO. The code must cover all the matters in the outline code of construction practice and must include the plans and strategies listed within the requirement. This includes a site waste management plan (which accords with the outline site waste management plan). The code of construction practice must be implemented as approved.
	EN-1 5.15.18	Where the Project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.12 will apply.	The operation of the Project will not be subject to the EP regime by nature of the Project being a renewable electricity generation project.
	EN-1 5.15.19	The Secretary of State should have regard to any potential impacts on the achievement of resource efficiency and waste reduction targets set under the Environment Act 2021 or wider goals set out in the government's Environmental Improvement Plan 2023.	The Outline Site Waste Management Plan (APP-274) outlines the statutory and non-statutory policy and guidance considered as part of the Project which includes consideration of waste reduction targets and resource efficiency.
<b>EN-1 Part 5.16: Water Quality and Resources</b>			
Water Quality and Resources	EN-1 5.16.1 – 5.16.2	<p>Infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters coastal and marine waters.</p> <p>During the construction, operation, and decommissioning phases, development can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment. There may also be an increased risk of spills and leaks of pollutants to the water environment. These effects could lead to adverse impacts on health or on protected species and habitats (see Section 4.3) and could result in surface waters, groundwaters or protected areas failing to meet environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and the Marine Strategy Regulations 2010.</p>	<p>Potential impacts upon water quality and resources are considered in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) contains the assessment of the potential impacts of the Project on marine physical processes.</p> <p>The conclusions drawn from the three assessments are that there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>The Project has committed a range of mitigation measures to reduce impacts. Offshore measures include, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out.</p> <p>Onshore measures include obtaining consent for any intrusive works, careful routing to avoid any key areas of sensitivity, detailed surface water drainage plans, and adherence to a Pollution Prevention and Emergency Incident Response Plan.</p>
Applicant Assessment	EN-1 5.16.3	Where the Project is likely to have effects on the water environment, the Applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment, and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment, as part of the ES or equivalent (see Section 4.3 and 4.10).	

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			An onshore and offshore WFD assessment has been produced in Volume 3, Appendix 8.1: Water Framework Directive (APP-153) that will mitigate any adverse effects on the water environment and present any enhancement measures.
	EN-1 5.16.4	The applicant should make early contact with the relevant regulators, including the local authority, the Environment Agency and Marine Management Organisation, where appropriate, for relevant licensing and environmental permitting requirements.	Consultation regarding water quality and resources has been included within the Marine Ecology, Processes and Derogation and Compensation and Onshore Ecology, Hydrology and Ground Conditions ETGs. Consultation has been undertaken and as part of the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of the Project's Technical Consultation (APP-061) and wider consultation is presented in the Consultation Report (APP-032). European Protected Species Licensing (EPSL) is anticipated to be required for water vole, badger and GCN. The Applicant is in the process of pursuing Letters of No Impediment (LoNI) with Natural England which will subsequently be submitted to the ExA.
	EN-1 5.16.5	Where possible, applicants are encouraged to manage surface water during construction by treating surface water runoff from exposed topsoil prior to discharging and to limit the discharge of suspended solids e.g., from car parks or other areas of hard standing, during operation.	The management of surface water relates to the onshore environment and is considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079), this is supported by a Groundwater Risk Assessment (GWRA) (APP-210).
	EN-1 5.16.6	Applicants are encouraged to consider protective measures to control the risk of pollution to groundwater beyond those outlined in River Basin Management Plans and Groundwater Protection Zones - this could include, for example, the use of protective barriers.	The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (: APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.  Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.  By incorporating these commitments no significant effects have been identified in relation to surface water quality
	EN-1 5.16.7	The ES should in particular describe: <ul style="list-style-type: none"> <li>▪ the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges;</li> <li>▪ existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Abstraction Licensing Strategies) and also demonstrate how proposals minimise the use of water resources and water consumption in the first instance;</li> <li>▪ existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics;</li> </ul>	A description of the Baseline (existing) water quality conditions is provided in Chapter 8 Marine Water and Sediment Quality (APP-063).  Descriptions of the baseline environment are provided in ES Chapter 8 Marine Water and Sediment Quality (APP-063), with regard to the offshore environment, and ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079) with regard to the onshore environment. ES Chapter 7 Marine Physical Processes (APP-062) provides a baseline description with regard to marine physical processes.  In addition, the Chapters provide: <ul style="list-style-type: none"> <li>▪ the potential environmental effects on water quality arising from the Project, based on the information gathered and the analysis and assessments undertaken to date and assess whether they are significant (in EIA terms);</li> <li>▪ any assumptions and limitations encountered in compiling the environmental information;</li> </ul>

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		<ul style="list-style-type: none"> <li>▪ any impacts of the proposed project on water bodies or protected areas (including shellfish protected areas) under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 and source protection zones (SPZs) around potable groundwater abstractions;</li> <li>▪ how climate change could impact any of the above in the future; any cumulative effects</li> </ul>	<ul style="list-style-type: none"> <li>▪ any necessary monitoring and/or mitigation measures which could prevent, minimise, reduce, or offset the possible environmental effects identified at the relevant stage in the EIA process; and</li> <li>▪ Cumulative effects.</li> </ul> <p>The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).</p> <p>There will be no proposed changes or new discharges as a result of the Project. A full WFD assessment supports the DCO application, detailing the impacts on coastal and transitional waterbodies and protected areas under WFD. Potential changes to the physical environment, including hydrodynamics, waves and sediment pathways, are presented in an assessment of the physical characteristics is presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>The Baseline characteristics of the water environment (which includes water quality, water resources, and flood risk) has been provided within: Chapter 24 Hydrology and Flood Risk (APP-079).</p>
Mitigation	EN-1 5.16.8	The Secretary of State should consider whether mitigation measures are needed over and above any which may form part of the Project application. A construction management plan may help codify mitigation at that stage.	<p>An Outline CoCP (APP-268) will be submitted as part of the DCO application. The Outline CoCP will include measures to control the potential impacts to water quality within environmental management plans that will be included within the suite of CoCP documents.</p> <p>The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (APP-273) that has been provided as part of the Outline CoCP (APP-268). An Outline Operational Drainage Management Plan (APP-286) has also been provided for the operational phase of the OnSS.</p> <p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>With regard to water quality within the marine environment, the Project has committed a range of mitigation measures to reduce impacts including, undertaking a Cable Burial Risk Assessment and using cable protection where required. The Project will also develop plans including a Project Environmental Management Plan, a Scour Protection Management Plan, a Cable Specification and Installation Plan (drafts of which have been produced as part of the Application) and a Decommissioning Programme, which will be agreed with the MMO prior to works being carried out</p>
	EN-1 5.16.9	The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	<p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p> <p>An outline Project Environment Management Plan (APP-277) is also being submitted with the DCO Application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice for offshore works.</p>

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			Therefore, deterioration to the current status of the water bodies is not anticipated and as such the Project can be considered to be in accordance with paragraph 5.16.9 of EN-1
	EN-1 5.16.10	The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling. If a development needs new water infrastructure, significant supplies or impacts other water supplies, the Applicant should consult with the local water company and the EA or NRW.	The Project will not require significant quantities of water supply and so will not have an impact on water resources. The potential impacts upon private water supplies are considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079).
Secretary of State decision making	EN-1 5.16.11	Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.12 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under controlled waters.	<p>Chapter 8 Marine Water and Sediment Quality (APP-063) confirms there are no offshore outfalls or discharges associated with the Project. However, an outline Project Environment Management Plan (APP-277) will be submitted with the DCO application, which will detail best practice and embedded mitigation measures that will ensure good pollution control practice.</p> <p>Temporary management of surface water will be required along the onshore ECC and at the OnSS during construction. An Outline Surface Water Drainage Strategy (: APP-273) has been provided as part of the Outline CoCP (APP-268). A final surface water drainage scheme will be informed by detailed design and provided as part of the final CoCP for approval by local authorities prior to construction which forms a requirement of the DCO.</p> <p>Surface water flowing into work areas and excavated trenches during the construction period will be pumped via settling tanks or ponds to remove sediment and potential contaminants, before being discharged into local ditches or drains via temporary interceptor drains. Where gradients on site are significant, cable trenches will include a hydraulic brake (bentonite or natural clay seals) to reduce flow rates along trenches and hence reduce local erosion.</p> <p>No discharge to Main River watercourses will occur without permission from Environment Agency (SuDS Manual) and no discharge to IDB maintained watercourses will occur without permission from the relevant IDB.</p>
	EN-1 5.16.12	The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.	<p>The assessment of sensitivity for environmental receptors takes into consideration RBMPs and WFD status (Table 24.17) of Chapter 24 Hydrology and Flood Risk (APP-079). The chapter concludes there are no significant adverse effects on water quality, water resource and the water environment.</p> <p>A WFD compliance assessment within Appendix 8.1: Water Framework Directive (APP-153) has also been provided to support the DCO application which provides a comprehensive assessment of the implications for WFD waterbodies.</p>
	EN-1 – 5.16.13	The Secretary of State must also consider duties under other legislation including duties under the Environment Act 2021 in relation to environmental targets and have regard to the policies set out in the Government’s Environmental Improvement Plan 2023.	<p>The Project meets the Government’s Environmental Improvement Plan by:</p> <ul style="list-style-type: none"> <li>▪ contributing significantly towards the UK’s current cumulative electricity supply deployment target for 2030, enough for approximately 500,000 households, necessary in order to achieve energy security at the same time as reducing greenhouse gas emissions.</li> <li>▪ maximising resources and minimises waste.</li> <li>▪ Not causing harm to habitats identified as being of importance for the conservation of biodiversity and enhancing where possible.</li> <li>▪ Protecting water quality.</li> </ul>
	EN-1 5.16.14 - 15.16.15	The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good	WFD classifications and objectives are taken into account within Chapter 24 Hydrology and Flood Risk (APP-079). The WFD water bodies are considered receptors and are assessed against: Existing environment and Environmental assessment during construction, O&M, and decommissioning phase. A WFD Assessment is provided within Appendix 8.1: WFD (APP-153) and presents the findings of the WFD compliance assessment for the potential impacts of the Project. The purpose of this WFD compliance assessment is to demonstrate that the proposed activities associated with the Project do not result in a

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		<p>status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential.</p> <p>The Secretary of State should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline Management Plans.</p>	<p>deterioration in a designated water body (or protected area) and do not jeopardise the attainment of good status (or the potential to achieve good ecological and chemical status). The assessment concludes there will be no adverse effects on the integrity of designated sites, No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>
	EN-1 5.16.16	<p>The Secretary of State should consider proposals to mitigate adverse effects on the water environment and any enhancement measures put forward by the Applicant and whether appropriate requirements should be attached to any development consent and/or planning obligations are necessary</p>	<p>A standalone WFD Compliance Assessment is presented within Appendix 8.1: WFD (APP-153). Mitigation measures are presented in Section 8.5.4, and include a Project Environmental Management Plan (PEMP), Cable Specification and Installation Plan (CSIP), measures to control Invasive Non Native Species as offshore mitigation. Onshore mitigation include the CoCP, pre-construction approvals, PPEIRP, and surface water management plans The draft DCO sets out proposed requirements to secure the management plans.</p> <p>No deterioration in the status of the Bathing Waters , and no deterioration of in the status of the water body element of the receptors scoped into the assessment.</p>

# Outer Dowsing Offshore Wind

## Project Statements

### Policy Compliance Document

### EN-3 National Policy Statement for Renewable Energy Infrastructure

Date: August 2024

Document Reference: 9.1.1

Rev: 2.0

Company:		<b>Outer Dowsing Offshore Wind</b>		Asset:	<b>Whole Asset</b>	
Project:		<b>Whole Wind Farm</b>		Sub Project/Package:	Whole Asset	
Document Title or Description:		Policy Compliance Document				
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Rev No.	Date	Status / Reason for Issue	Author	Checked by	Reviewed by	Approved by
1.0	March 2024	Holding Statement	Outer Dowsing	Outer Dowsing	Outer Dowsing	Outer Dowsing
2.0	August 2024	Response to Rule 17 Letter dated 3 July 2024	SLR	Shepperd & Wedderburn	Outer Dowsing	Outer Dowsing

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<b>EN-3 Part 2: General Assessment and Technology-Specific Information</b>			
<b>EN-3 Part 2.1 Introduction</b>			
Introduction	EN-3 2.1.8	The assessment principles outlined in Section 4 of EN-1 continue to apply to CNP infrastructure. Applicants must show how any likely significant negative effects would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. Early application of the mitigation hierarchy is strongly encouraged, as is engagement with key stakeholders including SNCBs, both before and at the formal pre-application stage.	<p>As outlined in the response to EN-1 paragraph 3.3.60-3.3.62 the Project is classified as CNP infrastructure.</p> <p>The Applicant has considered the NPS and relevant technology specific NPS paragraphs, applying the mitigation hierarchy, as well as any other legal and regulatory requirements, illustrated in the Planning Statement (APP-297).</p> <p>The ES provides a comprehensive presentation of the benefits and impacts that the Project may have at national, regional and local levels, specific to environmental, social and economic topics.</p> <p>The Applicant has undertaken several phases of consultation both non-statutory and statutory in accordance with section 42 of the 2008 Act in addition to bilateral engagement with key stakeholders, including SNCBs. Details of this engagement, the responses to consultation provided and how the Applicant has had regard for these are set out in the Consultation Report (APP-032) and Appendix 4B Section 42 Responses (APP-038)</p>
<b>EN-3 Part 2.2 Relationship with English and Welsh Renewables Policies</b>			
Relationship with English and Welsh renewables policies	EN-3 2.2.1 – 2.2.4	<p>Policy set out in existing planning guidance in England and, for any proposed project located in Wales, in relevant planning policy and advice issued by the Welsh Government, will provide important information to applicants of nationally significant renewable energy projects.</p> <p>Applicants should take these policies and guidance (including any relevant targets) into account and explain how their proposals fit with guidance or, alternatively, why they depart from them.</p> <p>The Secretary of State should also have regard to these policies and guidance (including any relevant targets) in its decision making.</p> <p>Whether an application conforms to the guidance, or the targets will not necessarily be a reason for approving or rejecting the application.</p>	The Planning Statement (APP-297) and this Policy Compliance Document summarises the principal matters and relevant policy.
<b>EN-3 Part 2.3 Factors influencing site selection and design</b>			
Factors influencing site selection and design	EN-3 2.3.1 – 2.3.4	<p>Factors influencing site selection by applicants for renewable energy generating stations are set out below.</p> <p>The specific criteria considered by applicants and the weight they give to them will vary from project to project.</p> <p>Where there are requirements on applicants or the Secretary of State to consider specific factors, these are made clear in the text.</p> <p>The choices which applicants make in selecting sites reflect their assessment of the risk that the Secretary of State, following the general points set out in Section 4.1 of EN-1, will not grant consent in any given case.</p>	<p>The design and development of ODOW has been based upon comprehensive early engagement with key stakeholders. S</p> <p>Stakeholder engagement has been a key influence on the project design, with each phase of consultation carefully designed to provide opportunities for review and provision of additional information to guide site selection decisions and refine the project proposals. Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> </ul>

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			<ul style="list-style-type: none"> <li>The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Aspects concerning the need for the Project, the site selection process and alternative designs and technologies considered by the Applicant during the design development process are explained fully in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and presented in summary form within the Planning Statement (APP-297).</p>
	EN-3 2.3.5	It is for applicants to decide what applications to bring forward. In general, the government does not seek to direct applicants to particular sites for renewable energy infrastructure. In specific circumstances it may be appropriate to provide some direction or guidance, for example to areas of search or areas to avoid through Marine Plans, Strategic Environmental Assessments (SEAs) or The Crown Estate Leasing Rounds, in respect of marine renewable technology. All of the examples given consider marine specific aspects of many of the assessment principles set out in Part 4 of EN-1.	<p>As referred to within the Planning Statement (APP-297), the Crown Estate (as the manager of the seabed), initiated a new leasing round process (known as Leasing Round 4) for seabed rights to development offshore wind projects in English Waters.</p> <p>The Round 4 leasing process offered seabed rights for offshore wind development within four bidding regions (North Wales &amp; Irish Sea, Eastern, South East, and Dogger Bank)—with a minimum target capacity of at least 7 GW and the Applicant was awarded Preferred Bidder Status in February 2021.</p> <p>The Agreement for Lease (Afl) for the Project was signed by the Applicant in January 2023 (see the Chapter 3 Project Description (APP-058) for further details).</p>
Marine Licensing	EN-3 2.3.16 and 2.3.18	<p>Marine Licences are required for all the marine elements of a proposed offshore development (up to Mean High Water Springs), including associated development such as the cabling, offshore substations that are required, and any other aspects of a development that the appropriate licensing authority, such as the MMO or NRW, may consider licensable under s66 of the Marine and Coastal Access Act 2009.</p> <p>Any DCO granted by the Secretary of State may include provisions deeming the grant of a Marine Licence for operations carried out wholly in England and English waters, or the Welsh Zone of the REZ.</p>	The Applicant has included provisions for deemed Marine Licences (dMLs) within the draft DCO (APP-303)
	EN-3 2.3.23	Applicants must approach the Marine Licensing regulator (MMO in England and NRW in Wales) early in the pre-application process to ensure that they are aware of any needs for additional marine licence consents alongside their DCO application.	The Applicant has engaged and continues to engage with the MMO in respect of any additional marine licence consents that may be required.
<b>EN-3 Part 2.4: Climate change adaptation and resilience</b>			
Climate change adaptation and resilience	EN-3 2.4.1 – 2.4.4	<p>Part 2 of EN-1 covers the government’s energy and climate change strategy, including policies for mitigating climate change.</p> <p>Section 4.10 of EN-1 sets out generic considerations that applicants and the Secretary of State should take into account to help ensure that renewable energy infrastructure is safe and resilient to climate change, and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime.</p> <p>Section 4.10 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES.</p>	Please see the Applicant’s response to sections 4.10, 5.6 and 5.8 of EN-1 above,

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Offshore wind	EN-3 2.4.8	<p>Section 5.6 Coastal Change and Section 5.8 Flood Risk of EN-1 set out generic considerations that applicants and the Secretary of State should take into account in order to manage coastal change and flood risks.</p> <p>Whilst offshore wind farms will not be affected by flooding, applicants should demonstrate that any necessary land-side infrastructure (such as cabling and onshore substations) will be appropriately resilient to climate-change induced weather phenomena. Similarly, applicants should particularly set out how the proposal would be resilient to storms</p>	<p>The ES takes into account climate change and ensures that natural hazards have been taken into account.</p> <p>Each topic-specific chapter of the ES includes a description of the evolution of the Baseline environment relevant to that ES topic, that would occur without the implementation of the development, so far as natural changes from the Baseline scenario can be assessed. The Baseline environment is expected to change in response to natural variation, including through wider changes in climate expected over the lifetime of the Project.</p> <p>The effects of climate change are likely to be limited to the consequences of flooding as a result of extreme weather events. The effects of such flooding events are assessed in Volume 1, Chapter 24: Hydrology and Flood Risk (APP-079) and Appendix 24.2 Flood Risk Assessment: Onshore ECC (APP-211) and Appendix 24.3 Flood Risk Assessment: Onshore Substation (APP-212). To ensure climate change effects are accounted for, the flood risk baseline has been informed by Environment Agency Flood Map for Planning, the local authority Strategic Flood Risk Assessments (SFRA) and data from hydraulic models, which take into account climate change effects.</p> <p>Mitigation measures that respond to future climate change effects have been considered across the ES. This includes the flood mitigation measures outlined below:</p> <ul style="list-style-type: none"> <li>▪ The Project’s surface water drainage scheme, which will ensure runoff rates from the surrounding waters environment has an allowance for climate change effects (including changes in rainfall) (see the Outline Surface Water Drainage Strategy (APP-273) and Outline Operational Drainage Management Plan (APP-286)).</li> <li>▪ The Outline Code of Construction Practice (APP-268) which sets out best practice principles that will be followed during the construction phase, including no discharge into Main Rivers without permission from the EA, measures to ensuring cable trenching or widening of roads across surface watercourses does not impact flow rates or water quality and the preparation of a Flood Management and Response Plan post-consent.</li> </ul> <p>Construction principles like those above will be key to ensuring that the land remains resilient to future changes in rainfall runoff from climate change.</p>
EN-3 Part 2.5 Consideration of good design for energy infrastructure			
Consideration of good design for energy infrastructure	EN-3 2.5.1 -2.5.2	<p>Section 4.7 of EN-1 sets out the criteria for good design that should be applied to all energy infrastructure.</p> <p>Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine and terrestrial uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage.</p>	<p>Please see the Applicant’s response to section 4.7 of EN-1.</p> <p>The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals.</p> <p>The Project is considered to be sustainable and functional as well as well designed. The Project’s site selection process has achieved this through following the guiding design principles below:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ A preference for the shortest route for cable routing to reduce environmental and social impacts by minimising the footprint for the offshore and onshore ECCs, as well as minimising cost (ultimately reducing the cost of energy to the consumer) and minimising transmission losses;</li> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not feasible, seeking to mitigate any resulting impacts;</li> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the Maximum Design Scenario (MDS) for each of the Project elements.</li> </ul> <p>With regards offshore design, ODOW has being designed in so far as reasonably practicable to apply good design, whilst also complying with the necessary safety requirements with respect to safe navigation and operation of Search and Rescue procedures. Following Section 42 and 47 consultation, the following changes were made to the Project including:</p> <ul style="list-style-type: none"> <li>▪ a reduction in the Array Area to reduce potential impacts on shipping and navigation receptors and ornithological receptors;</li> <li>▪ the maximum number of WTGs was increased from 93 to 100 so that the Maximum Design Scenario presented in this Environmental Statement incorporates the size and scale of WTGs expected to be available to the Project;</li> <li>▪ To minimise the impacts of the Project on bird species the Project has committed to a minimum distance of 40m between the lowest point of the rotating blade and Mean Sea Level (MSL).</li> </ul> <p>The ODOW project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/ change to the receiving environment, and this is reflected in the iterative process that has been applied throughout the pre-application process.</p> <p>Further details on design decisions in terms of the Project infrastructure and location are set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059), Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>
	EN-3 2.5.3	Defra will consult on a series of Offshore Wind Environmental Standards (OWES) before drafting clear OWES Guidance. The OWES Guidance will aim to support the achievement of good design for offshore wind farms and/or offshore transmission infrastructure which is detailed in section 2.8.90.	The Applicant has participated directly and via Renewable UK in consultation on the OWES to date and will continue to participate in future consultation held by Defra in respect of the proposed OWES.
<b>EN-3 Part 2.6 Flexibility in project details</b>			
Flexibility in the Project details	EN-3 2.6.1 – 2.6.3	<p>Where details are still to be finalised applicants should explain in the application which elements of the proposal have yet to be finalised, and the reason why this is the case.</p> <p>Where flexibility is sought in the consent as a result, applicants should, to the best of their knowledge, assess the likely worst-case environmental, social and economic effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed.</p>	<p>To allow for design flexibility at detailed design stage, the Project has adopted an assessment approach known as the 'Maximum design envelope' approach' or the 'Rochdale Envelope' approach (The Planning Inspectorate, 2018).</p> <p>This approach assesses what is considered the 'worst case' scenario based on the maximum parameters currently defined for the Project. Within the ES, a range of parameters for each aspect of the Project are defined and the MDS for each receptor and/or impact is identified and considered for assessment.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Full guidance on how applicants and the Secretary of State should manage flexibility is set out in Section 4.3 of EN-1.	This process and the associated parameters have been refined for the Project's ES taking account of survey data and feedback from the Project's consultation, as detailed within the Consultation Report (APP-032) and summarised in section 3.3 of Chapter 3 Project Description (APP-058).
<b>EN-3 Part 2.8: Offshore Wind</b>			
Introduction	EN-3 2.8.1 – 2.8.2	<p>As set out in the British Energy Security Strategy, the Government expects that offshore wind (including floating wind) will play a significant role in meeting demand and decarbonising the energy system. The ambition is to deploy up to 50GW of offshore wind capacity (including up to 5GW floating wind) by 2030, with an expectation that there will be a need for substantially more installed offshore capacity beyond this to achieve net zero carbon emissions by 2050.</p> <p>To meet its objectives Government considers that all offshore wind developments are likely to need to maximise their capacity within the technological, environmental, and other constraints of the development.</p>	<p>As demonstrated within the Planning Statement (APP-297), the Project will play a significant role in meeting demand and decarbonising the energy system and assisting the Government in meeting their aims.</p> <p>The Project design has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. The Project is presented as sustainable and both functional as well as well-designed and has maximised its capacity within the technological, environmental, and other constraints of the development. Further design considerations of relevance to the design are set out in within Chapter 3 Project Description (APP-058), Chapter 4: Site Selection and Consideration of Alternatives (APP-059), the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p>
	EN-3 2.8.3	<p>There are two main UK sea areas where offshore wind farms can be built:</p> <ul style="list-style-type: none"> <li>▪ in UK territorial waters, which generally extend up to 12 nautical miles (nm) from the coast; and</li> <li>▪ beyond the 12 nm limit where, under international law, the UK is able to construct wind farm installations or other structures to produce renewable energy in the Renewable Energy Zone (REZ) as declared in the Energy Act 2004.</li> </ul>	The Project's Array Area is located in the Renewable Energy Zone.
	EN-3 2.8.4	<p>Any reference within this NPS to offshore wind farm infrastructure includes all the elements which may be part of an offshore wind farm application including:</p> <ul style="list-style-type: none"> <li>▪ wind turbines;</li> <li>▪ all types of foundations (fixed bottom or floating);</li> <li>▪ onshore and offshore substations;</li> <li>▪ anemometry masts;</li> <li>▪ accommodation platforms; and <ul style="list-style-type: none"> <li>▪ cabling (offshore transmission).</li> </ul> </li> </ul>	This has been noted by the Applicant; all aspects of the Project's infrastructure has been considered across the ES submission documents.
	EN-3 2.8.5	In addition, this section on offshore wind makes many references to cabling and offshore transmission. Applicants bringing forward proposals for that infrastructure should note all such references; cabling refers to all types of electricity network infrastructure including offshore transmission as well as the Inter-array cables for a wind farm.	<p>References to cabling and offshore transmission outlined within EN-3 have been considered in this policy compliance document and throughout the ES. Information relating to offshore transmissions and cabling is contained within Chapter 3 Project Description (APP-058) and Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Additional information relating to cabling is also found within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Appendix 3.1: Cable Burial Risk Assessment (APP-142);</li> <li>▪ Outline Cable Specification and Installation Plan (APP-278); and</li> <li>▪ Cable Statement (APP-299).</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Consenting process	EN-3 2.8.6	For guidance on DCOs and Marine Licences, applicants and the Secretary of State should consult section 2.3.16 of this NPS.	Please see the Applicant’s response to section 2.3.16.
	EN-3 2.8.7	Given ambitions to deliver up to 50 GW of offshore wind by 2030, including up to 5 GW of floating wind, there is a need to speed up, and reduce delays in, the consenting process.	The Applicant has sought to minimise delays in the consenting process through participation in the Early Adopters Programme and the EPP. The Applicant has engaged extensively through the EPP, bilateral and statutory consultation with statutory bodies and key stakeholders prior to submission of the Application.
	EN-3 2.8.8	<p>The British Energy Security Strategy committed to implementing an Offshore Wind Environmental Improvement Package (OWEIP), which aims to streamline environmental assessments, decrease consenting times, and maintain marine environmental protections. The OWEIP includes measures to:</p> <ul style="list-style-type: none"> <li>▪ revise Marine Protected Area assessment guidance (including Habitats Regulations and MCZ Assessments to streamline and simplify information applicants must supply.</li> <li>▪ revise the Habitats Regulations and MCZ assessment process for offshore wind to facilitate the delivery of compensation measures whilst maintaining valued protection for wildlife.</li> <li>▪ facilitate the delivery of strategic environmental compensation measures to offset environmental effects and reduce delays to projects, including development of a library of compensation measures, through the Collaboration on Offshore Wind Strategic Compensation (COWSC) programme.</li> <li>▪ implement an industry-funded Marine Recovery Fund (MRF), into which developers can choose to contribute to meet their environmental compensation obligations.</li> <li>▪ develop offshore wind environmental standards to set a minimum common requirement for designing wind farms and offshore transmission infrastructure, providing greater certainty, and speeding up the consenting process.</li> <li>▪ develop a strategic approach to environmental monitoring.</li> </ul>	It is recognised that many of the OWEIP measures are still being progressed, however, the Applicant has participated in the COWSC programme in its early stages and continues to engage via OWIC. The Applicant has had regard to the latest guidance on strategic compensation measures and has incorporated the option of contributing to the Marine Recovery Fund and other strategic compensation measures as part of a package of potential compensation measures.
	EN-3 2.8.9 – 2.8.10	<p>Various aspects of the Offshore Wind Environmental Improvement Package (OWEIP) will be subject to public consultation and guidance will be produced in due course.</p> <p>The OWEIP applies to “the planning, construction, operation or decommissioning of offshore wind electricity infrastructure” and the identification of an area for such an activity. Infrastructure is defined in the Energy Act and includes offshore transmission infrastructure such as bootstraps.</p>	<p>The Applicant has participated either directly or as part of an industry response via Renewable UK, in public consultation on aspects of OWEIP as these have been published and continues to engage via OWIC, with the COWSC work streams.</p> <p>The Applicant has had regard to draft guidance where available (for example in relation to strategic compensation), as well as recent developments relating to the Marine Recovery Fund. These have been considered where appropriate in the relevant documents including the Derogation Case (APP-242).</p>
Factors influencing site selection and design	EN-3 2.8.11 – 2.8.13	<p>General factors influencing site selection by applicants are set out at Section 2.3 of this NPS.</p> <p>Specific considerations involved in the siting of an offshore wind development are additionally likely to be influenced by factors set out in the following paragraphs.</p> <p>The specific criteria considered by applicants, and the role that they play in site selection, will vary from project to project.</p>	<p>As outlined within Chapter 4 Site Selection and Consideration of Alternatives (APP-059), the Project (taking into account statutory requirements set out in Section 2.3 of EN-3) whilst the site selection has been driven by the Offshore Transmission Network Review, the Applicant has undergone an iterative design and site selection process, which considers engineering and environmental considerations, to ensure the Project can make the greatest contribution to renewable energy targets possible, whilst minimising environmental impacts, following principles of good design and retaining an economically viable project.</p> <p>Good design principles adopted have included:</p> <ul style="list-style-type: none"> <li>▪ Avoidance, wherever feasible, of key sensitive features and where not, seeking to mitigate any resulting impacts;</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Minimising the disruption to populated areas; and</li> <li>▪ The need to accommodate the maximum design envelope for the ECC and OnSS.</li> </ul> <p>Design considerations are also contained within the following documents:</p> <ul style="list-style-type: none"> <li>▪ Design Approach Document (APP-292) which summarises the key processes, consideration of design solutions and decisions made to date that have informed the design principles and commitments, including how these will be implemented through to detailed design; and</li> <li>▪ Design Principles Statement (APP-293) which outlines how the various elements of the project have been integrated into a holistic design, how the design has evolved and how the project will add value by positively creating a sense of place as defined by the National infrastructure Commission guidance.</li> </ul>
Offshore Energy Strategic Environmental Assessment	EN-3 2.8.14 – 2.8.15	<p>In proposing sites for offshore wind and/or offshore transmission infrastructure, NSIP applicants should demonstrate that their choice of site takes into account the government’s Offshore Energy SEA and any successors to it.</p> <p>The government is undertaking a rolling Offshore Energy SEA programme, including a research programme and data collection to facilitate future strategic and project specific assessments to achieve the 50GW ambitions.</p>	<p>The Project was sited in accordance with the requirements of The Crown Estate’s Offshore Wind Leasing Round 4 process as acknowledged in the Government’s Offshore Energy SEA 4 (DESNZ 2023), section 2.5.1</p> <p>Further information of the site selection process can be found within Chapter 3 Project Description (APP-058) and Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p>
Marine Planning	EN-3 2.8.16 – 2.8.19	<p>Marine planning currently enables the increasing demands for use of the marine area to be balanced and managed in an integrated way that protects the marine environment whilst supporting sustainable development.</p> <p>Marine plans provide a transparent framework for consistent, evidence-based decision making and should be used by applicants to guide site selection.</p> <p>Marine plans will help applicants understand generic potential impacts of their proposal at an early stage e.g., in relation to other activities, or where there are marine protected areas. Further information is provided in Section 4.5 of EN-1.</p> <p>The cross-Government Marine Spatial Prioritisation Programme will review how marine plans, the wider planning regime, legislation and guidance may need to evolve to ensure a more holistic approach to the use of the seas, and that this is taken to maximise co-existence/co-location possibilities.</p>	<p>The marine plans and Marine Policy Statement have been considered in developing the Project which lies within the East Inshore &amp; Offshore Marine Plan Areas, as outlined in the relevant offshore ES Chapters, the accompanying Planning Statement (APP-297). The Applicant has set out responses to the MPS and the East Marine Plan in sections 10 and 11 of this Policy Compliance Document.</p> <p>As of the date of Application, the outputs from the Marine Spatial Prioritisation Programme have not been published.</p>
Seabed leasing	EN-3 2.8.20 – 2.8.25	<p>The Crown Estate issues leases for offshore wind farms in tendering rounds. Applicants must obtain a lease prior to placing an offshore wind structure on, or passing transmission export cables over, the seabed and its foreshore (see section 2.3.10 of this NPS for information in seabed leasing and capacity extensions).</p> <p>Rounds 1, 2 and 3 are closed and sites leased in those rounds are either operational; in construction; consented but yet to be constructed; awaiting determination; or yet to apply for development consent. Leasing Round 4 is completed, with agreements for lease awarded in January 2023.</p>	<p>The Applicant signed an Agreement for Lease with the Crown Estate (TCE) in January 2023 following participation in Leasing Round 4.</p> <p>TCE subsequently undertook a plan-level HRA for Round 4 that was completed in July 2022 which assessed the potential impacts of the proposed projects on relevant nature conservation sites of the European Natura 2000 network. The plan-level HRA (TCE, 2022) was able to conclude that no adverse effects on the National Site Network would occur as a result of offshore export cable connections for all but one of the Round 4 projects. However, TCE also concluded that plan level HRA does not replace the information requirements of project level HRA and did not attempt to pre-empt</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>To date, each offshore wind leasing round has been supported by a plan level HRA, which assesses the impact of the leasing round on protected sites. It should also be noted that aspects of plan level HRAs that remain relevant at the project level might be able to be relied upon to inform the project level HRA, reducing the project level effort required and reducing duplication.</p> <p>The assessment serves to provide a better understanding of the potential effects and identify measures which can be put in place to avoid, mitigate, or reduce those significant effects at a plan level.</p> <p>Where an assessment concludes that there will still be an adverse impact, a case for derogation can be considered. This must meet strict legal tests, which includes identifying compensatory measures.</p> <p>Individual project lease agreements from The Crown Estate often include limits on development (such as a maximum generation capacity), which are used by The Crown Estate as a proxy to establish environmental effects at the plan level. Consistent with the Government’s objectives in this NPS, project developers should seek to maximise their capacity within the technological, environmental, and other constraints of the project. At the development consent stage, the Secretary of State will use detailed maximum project parameters to assess environmental impacts, and these will be reflected in the DCO. Such parameters may differ from the limits on development assumed by The Crown Estate in the agreement for lease e.g., as a rule, the Secretary of State will not include a maximum capacity limit within the DCO. Future offshore development may occur in rounds, as piecemeal development or using any other development mechanism as required.</p>	<p>project level conclusions (see Chapter 4: Site Selection and Consideration of Alternatives for further information).</p> <p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features. The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>To allow for design flexibility at detailed design stage, the Project adopts a ‘design envelope’ approach, or the ‘Rochdale Envelope’ approach (The Inspectorate, 2018) which assesses a worst case-scenario. At this stage in the development process, exact locations of infrastructure and the precise technologies and construction methods employed cannot be made and as such this approach adopted considers the ‘worst case’ scenario based on the maximum parameters currently defined for the Project at the application stage, which are detailed within Chapter 3: Project Description (APP-058). Within the ES, a range of parameters for each aspect of ODOW are defined and the MDS for each receptor and/or impact is identified and considered for assessment. This process and the associated parameters have been refined for the ES taking account of newly available survey data and feedback from the Project’s consultation, as detailed within the Consultation Report (APP-032).</p>
Wind Resource	EN-3 2.8.28 – 2.8.30	<p>Available wind resource is critical to the economics of a proposed offshore wind farm.</p> <p>To inform their economic modelling applicants may collect wind speed data using an anemometry mast or similar.</p> <p>Collection of this data is not obligatory as the suitability of the wind speed across the site and economics of the scheme are a matter for the technical and commercial judgement of the wind farm applicant not the Secretary of State.</p>	<p>The Applicant considered relevant wind resource data during the identification of the Project’s Array Area.</p>
Water depth and foundation conditions	EN-3 2.8.31 – 2.8.33	<p>Water depth, bathymetry and geological conditions are all important considerations for the selection of sites and will affect the design of the foundations of the turbines, the layout of turbines within the site and the siting of the cables that will export the electricity.</p> <p>The onus is on the Applicant to ensure that the foundation design is technically suitable for the seabed conditions and that the application caters for any uncertainty regarding the geological conditions.</p> <p>Whilst the technical suitability of the foundation design is not in itself a matter for the Secretary of State, the Secretary of State will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.</p>	<p>The Project adopts a Rochdale Envelope approach which assesses a worst case-scenario to allow for flexibility. This includes the consideration of a range of different foundation types that will be used as part of the Project. The foundation type selected will ultimately be dependent on the final detailed site investigations, engineering design studies and the procurement process.</p> <p>There are a number of foundation types that are being considered for the Project. The factors influencing the choice of foundation for a specific project include the type of wind turbine to be used, the nature of the ground conditions on the site, the water depth and sea conditions (i.e. prevailing wave and current climate), as well as supply chain constraints.</p>

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			<p>Table 6.3 within Chapter 3: Project Description (APP-058) discusses the different foundation types currently considered which consist of monopile foundations, gravity base structure (GBS) foundations, pin piled jacket foundations and suction bucket foundations. Maximum design parameters for each of the foundation types can be found in Table 6.4, Table 6.5, Table 6.6 and Table 6.7 of Chapter 3: Project Description (APP-058).</p> <p>Each relevant offshore ES chapter assesses the maximum design scenario for foundations. No significant residual adverse effects have been identified as a result of any of the foundation types proposed for the Project.</p>
Offshore-onshore network connection	EN-3 2.8.34 – 2.8.43	<p>As identified in paragraphs 3.3.65 – 3.3.83 and Section 4.11 of EN-1, and Section 2.12 of EN-5, a more co-ordinated approach to offshore-onshore transmission is required.</p> <p>The previous standard approach to offshore-onshore connection involved a radial connection between single wind farm projects and the shore. A coordinated approach will involve the connection of multiple, spatially close, offshore wind farms and other offshore infrastructure, wherever possible, as relevant to onshore networks.</p> <p>This will include connections via multi-purpose interconnectors (MPIs), which combine the connection of offshore wind with the function of market-to-market interconnectors.</p> <p>Co-ordinated transmission proposals have principally been developed through, and as a consequence of, a process of ongoing reform including through strategic network planning, such as the Holistic Network Design for onshore-offshore transmission, as outlined in EN-5. Further details are provided in EN-5, section 2.12-2.15.</p> <p>As part of the transition to more co-ordinated transmission, it is anticipated that some proposals for transmission could be consented separately to those for the wind farm (array) application.</p> <p>For this to occur, an applicant will need to make a request to the Secretary of State. The Secretary of State would then decide whether to give direction under Section 35 of the Planning Act 2008</p> <p>For some wind farm projects, the electricity network connection proposals in the application could comprise a wind farm export cable to an offshore transmission connection point on part of an offshore transmission network taking power to shore or exported to another market via a multi-purpose interconnector (MPI).</p> <p>MPIs will enable direct power flow from wind farms to two or more countries. They will provide the electricity network with flexibility needed to integrate the increased deployment of intermittent offshore renewable generation into the system by: allowing market-to-market trading when there is additional capacity on the cable; and limiting the need to curtail offshore wind generation when domestic demand has been met by providing a direct route for export to neighbouring North Seas countries.</p> <p>This will provide system benefits, reduce costs to consumers and maximise market access for generators.</p>	<p>The potential for a coordinated approach is discussed within Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>For offshore projects developed within previous leasing rounds, the onshore grid connection location had been determined by National Grid following a grid connection application made by a project. However, this process has now been superseded by the OTNR process, which requires developers to follow four established workstreams including identifying and developing options that enable coordination.</p> <p>BEIS and Ofgem requested that NGENSO undertake a HND process in consultation with a Central Design Group (CDG) and working under a Terms of Reference (ToR). Of relevance to ODOW, the HND process considered a "radial" and a "coordinated" option for each project at a number of potential connection locations (plus noting any wider reinforcement works required to facilitate) and undertook a comparative evaluation for each option equally weighting economic cost, deliverability and operability, and environmental and societal impacts.</p> <p>The Applicant engaged with the HND throughout the development process and provided information where necessary/requested. In parallel to this, the Applicant progressed a number of options for the grid connection and associated cable route and substation sites, aligned with the options that were developed and evaluated by the HND, in order to ensure the development could progress, as far as possible, in parallel with the HND process (further details are set out within Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>However, in March 2022 Ofgem confirmed that the connection for the Project should be a radial connection, and that, as such, no opportunities for coordination with other projects are possible.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		The design of wind farms, and offshore transmission (including interconnection and Multi-Purpose Interconnector) projects should seek to be sufficiently flexible so that they are future-proofed as far as possible to enable future connections with different types of offshore transmission or wind farms respectively, where these are proposed to be spatially proximate.	
Other offshore infrastructure and activities	EN-3 2.8.44	There may be constraints imposed on the siting or design of offshore wind farms because of the presence of other offshore infrastructure, such as oil and gas, Carbon Capture, Usage and Storage (CCUS), co-location of electrolyzers for hydrogen production, marine aggregate dredging, telecommunications, or activities, such as aviation and recreation.	<p>Site selection has been undertaken with due consideration to the presence of current or proposed activities and infrastructure as addressed in Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>Other offshore infrastructure that has been considered as part of the DCO Application is assessed within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 16: Aviation, Radar and Military Communication (APP-071); and</li> <li>▪ Chapter 18 Marine Infrastructure and Other Users (APP-073); and</li> <li>▪ Chapter 29: Socio-Economic Characteristics (APP-084).</li> </ul> <p>As outlined within Chapter 18: Infrastructure and Other Marine Users (APP-073), activities and infrastructure considered as part of the Project design include:</p> <ul style="list-style-type: none"> <li>▪ Offshore renewables;</li> <li>▪ Oil and gas infrastructure (including pipelines);</li> <li>▪ Carbon Capture Usage and Storage (CCUS);</li> <li>▪ Subsea cables;</li> <li>▪ Nuclear energy facilities;</li> <li>▪ Coastal and marine wastewater assets;</li> <li>▪ Aggregate dredging licensed areas;</li> <li>▪ Marine disposal sites; and</li> </ul> <p>Chapter 16 Aviation, Radar and Military Communications outlines the potential interaction of the Project with military areas</p>
	EN-3 2.8.45	Given the scale of offshore wind deployment required to meet 2030 and 2050 ambitions, and the importance of the UK Continental Shelf (UKCS) in supporting progress towards net zero commitments there will be increasing demand on the UKCS which could give rise to conflicts. The occurrence of conflict between offshore development projects in the short term could restrict the capacity of the UKCS to support the variety of technologies required for the delivery of net zero.	<p>As per Chapter 4: Site Selection and Consideration of Alternatives (APP-059), the Project has been subject to an iterative design and site selection process which has had due consideration to other offshore development projects.</p> <p>Namely, other offshore infrastructure that has been considered are assessed within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 16: Aviation, Radar and Military Communication (APP-071); and</li> <li>▪ Chapter 18 Marine Infrastructure and Other Users (APP-073); and</li> <li>▪ Chapter 29: Socio-Economic Characteristics (APP-084).</li> </ul> <p>No conflicts have been identified in these assessments.</p>
	EN-3 2.8.46	Applicants should consult the Government’s Marine Plans (further detailed in Section 4.5 of EN-1) which are a useful information source of existing and known or potential activities and infrastructure.	<p>Details of how the Applicant has had regard to the East Inshore and Offshore Marine Spatial Plan and the MPS are outlined in sections 10 and 11 of this Policy Compliance Document.</p> <p>Please see also the Applicant’s response to section 4.5 of EN-1 as outlined above.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.8.47	Prior to the submission of an application involving the development of the seabed, applicants should engage with key stakeholders, such as The Crown Estate and statutory bodies to ensure they are aware of any current or emerging interests on or underneath the seabed which might give rise to a conflict with a specific application. This will ensure adequate opportunity to reduce potential conflicts and increase time to find a resolution.	The Applicant has engaged with TCE throughout the Project design and site selection process (see Chapter 4, (APP-059)), through the Round Four leasing process and via the Project's application for an Agreement for Lease for the export cable corridor to ensure efficient use of the seabed and co-existence with other users.
	EN-3 2.8.48 – 2.8.49	<p>Applicants are encouraged to work collaboratively with those other developers and sea users on co-existence/co-location opportunities, shared mitigation, compensation and monitoring where appropriate. Where applicable, the creation of Statements of Common Ground (SoCG) between developers is recommended. Work is ongoing between government and industry to support effective collaboration and find solutions to facilitate to greater co-existence/co-location.</p> <p>As an interested party, The Crown Estate may also provide further supporting information and evidence as part of the examination. This guidance is to encourage early engagement between parties with a potential overlap in their development plans so that a solution can be found that optimises the capacity of the UKCS to enable net zero.</p> <p>The Applicant will also need to consider impacts on civil and military radar and other aviation and defence interests (Section 5.5 of EN-1).</p>	<p>Consultation with potentially affected stakeholders has been carried out from the early stages of the Project and throughout the pre-application consultation process. The Applicant has consulted extensively with the Crown Estate and other marine users, which is summarised in the Consultation Report (APP-032) and Chapter 18 Marine Infrastructure and Other Users (APP-073).</p> <p>The Applicant has also had due regard to legislative requirements and information provided by the Crown Estate. This includes the choice of location regarding the siting off the offshore elements of the Project, which has followed requirements of The Crown Estate's Offshore Wind Leasing Round 4 process, including not locating projects within 7.5km of an existing OWF unless the owner of the OWF has given their written consent.</p> <p>The Applicant has also had due consideration to the potential for a coordinated approach through engagement with the HND process, however, in March 2022 Ofgem confirmed that the connection for the Project should be a radial connection, and as such, no opportunities for coordination with other projects are possible.</p> <p>Nevertheless, the Applicant has committed to working collaboratively with other developers and sea users. This includes Marine coordination and communication to manage Project vessel movements which will be secured within dML conditions as outlined within Chapter 15: Shipping and Navigation (APP-070).</p> <p>In terms of opportunities for shared mitigation for the offshore aspect of the Project, the Applicant is developing MoUs with other relevant projects which would facilitate the delivery of appropriate collaborative and/or strategic compensation measures where possible and appropriate. More specifically, as outlined in the Crown Estate Kittiwake Strategic Compensation Plan (APP-260) the Project is participating in the Crown Estate's Strategic Compensation Programme for the delivery of strategic Kittiwake compensation. The Applicant also notes that the preferred measure for benthic compensation, should this be required, (noting the Applicants conclusion of no AEol on the IDRBNR SAC) is the strategic delivery of an SAC extension led by DEFRA/DESNZ through the Marine Recovery Fund as supported by Natural England (RR-045).</p> <p>Please also see the Applicant's response to Part 5.5 of EN-1 in respect of impacts on civil and military aviation and defence interests which is also covered in Chapter 16 Aviation, Radar, Military and Communication (APP-071).</p>
Marine Protected Areas	EN-3 2.8.51 – 2.8.54	The UK Government has obligations to protect the marine environment with a network of well managed Marine Protected Areas (MPAs), which also includes Highly Protected Marine Areas (HPMAs). MCZs together with HPMAs, SACs SPAs, and Ramsar sites and marine elements of SSSIs form an ecologically coherent network of MPAs. Government has set a target for MPA condition under the Environment Act 2021.	<p>As shown on Figure 6.2.7.9 (APP-093) there are three designated sites within the Marine Physical Processes ZoI:</p> <ul style="list-style-type: none"> <li>▪ North Norfolk Sandbanks and Saturn Reef SAC;</li> <li>▪ Inner Dowsing, Race Bank and North Ridge SAC; and</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Given the scale of offshore wind deployment required to meet 2030 and 2050 ambitions, applicants will need to give close consideration to impacts on MPAs, either alone or in combination, and employ the mitigation hierarchy, and if necessary, provide compensation (both individually and in combination with other plans or projects) which may be needed to approve their projects.</p> <p>It is likely that these may include proactive measures to reduce the impact of deployment e.g., micrositing of offshore transmission routes to avoid vulnerable habitats, alternatives piling or trenching techniques, noise abatement technology, collision avoidance methods, or compensation for habitat loss. See Section 2.8.80 for Offshore Wind Environmental Standards.</p> <p>Further guidance can be found in Sections 4.3 and 5.4 of EN-1.</p>	<ul style="list-style-type: none"> <li>▪ Chapel Point – Wolla Bank SSSI.</li> </ul> <p>Potential impacts on these sites are considered in section 7.12 and embedded mitigation is set out in section 7.9 of Chapter 7 Marine Physical Processes (APP-062). Embedded mitigation incorporated within the Project design has included constraints analysis to minimise impacts on sensitive environmental receptors and a commitment to not using jack up vessels within the Inner Dowsing, Race Bank and North Ridge SAC.</p> <p>A standalone Habitats Regulation Assessment (HRA Report to Inform Appropriate Assessment (RIAA) (APP-235) and a MCZ Assessment (Volume 3, Appendix 9.4 (APP-157)) have been submitted detailing all matters associated with statutory designations.</p> <p>Potential impacts of the Project upon Marine Physical Processes are considered in terms of indirect effects (including pathways) on other receptors elsewhere in the ES, in particular in Chapter 9 Benthic and Intertidal Ecology (APP-064) and in the RIAA (APP-235).</p> <p>Please also see the Applicant’s response to section 4.3 (Environmental Effects/Considerations) and section 5.4 of EN-1, in particular paragraph 5.4.4-5.4.6, paragraph 5.4.9 which addresses MCZs and paragraph 5.4.10 which addresses MPAs.</p>
	<p>EN-3 2.8.55– 2.8.56</p>	<p>The British Energy Security Strategy has committed to introducing mechanisms to support strategic compensatory measures, including for projects already in the consenting process (where possible), to offset environmental impacts and reduce delays to individual projects. Only once all feasible alternatives and mitigation measures have been employed, should applicants explore possible compensatory measures to make good any remaining significant adverse effects to site integrity.</p> <p>Applicants are expected to seek advice from SNCBs and Defra for projects in England, in conjunction with relevant regulators, Local Planning Authorities and/or landowners, on potential mitigation and/or compensation requirements at the earliest opportunity and comply with future statutory requirements and/or guidance once available.</p>	<p>A RIAA (APP-235) supports the Project and sets out the assessment of the Project’s impacts on conservation objectives of the screened in European and Ramsar sites including the relevant MPAs. Following this, the Applicant has provided details of HRA derogation and associated compensation measures (with and without prejudice) which are provided in the following documents:</p> <ul style="list-style-type: none"> <li>▪ Derogation Case (APP-242);</li> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243); <ul style="list-style-type: none"> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244);</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246);</li> <li>▪ Without Prejudice Benthic Compensation Evidence Base and Roadmaps (APP-248);</li> </ul> </li> <li>▪ Ornithology Compensation Strategy (APP-249); <ul style="list-style-type: none"> <li>▪ Kittiwake Compensation Plan (APP-250);</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252);</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255);</li> <li>▪ Offshore Artificial Nesting Structure (ANS) Evidence Base and Roadmap (APP-256);</li> <li>▪ Predator Control Evidence Base and Roadmap (APP-257); and</li> <li>▪ Without Prejudice Additional Measures for Guillemot and Razorbill Evidence and Roadmap (APP-259);and</li> </ul> </li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Where relevant, these documents consider the use of strategic compensation measures and the draft DCO includes a mechanism to deliver these including through the Marine Recovery Fund. The Applicant has sought and will continue to seek advice from the relevant SNCB and Defra, in conjunction with regulators and stakeholders in respect of both project-led and strategic compensation measures.</p> <p>The Applicant has consulted extensively both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard for these are outlined in Appendix 5.1.4 of the Consultation Report (Consultation Report Appendix 4B Section 42 Responses (APP-038)). The outcomes of the ETGs and EPP process has been recorded in EPP agreement logs submitted as part of Chapter 6 Technical Consultation (APP-061)</p>
Green Belts	EN-3 2.8.57 – 2.8.58	<p>Although offshore wind farms themselves will not have a direct impact on green belts, it is possible that some elements of these projects may be proposed on green belt land, such as electricity network infrastructure, and comprise inappropriate development which may impact on the openness of the green belt.</p> <p>For guidance on developing on green belts applicants should consult Section 5.11 of EN-1.</p>	No part of the Project falls within Green Belt land.
<b>Technical Considerations</b>			
Network connection	EN-3 2.8.59 – 2.8.60	<p>Applicants should consider important issues relating to network connection at Section 4.11 of EN-1 and in EN-5. In particular, applicants should proceed in a manner consistent with the regulatory regime for offshore transmission networks established by Ofgem. The co-ordination of transmission is supported by reforms and regulatory changes to enable this as part of the Offshore Transmission Network Review (OTNR).</p> <p>As co-ordinated offshore transmission development may sometimes occur separate to that for wind farm development (under reforms including strategic network design exercises (see next paragraph)), it is expected that an initial agreement will be reached regarding connection with the offshore transmission network developer (or operator) and/or connection into the onshore transmission network.</p>	<p>Please see the Applicant’s response to Section 4.11 of EN-1 and EN-5.</p> <p>The provisional outcomes of the Offshore Transmission Network Review process included two possible grid connection options for the Project, both of which were considered in the PEIR; a location known as ‘Lincolnshire Node’ which is situated close to the coast at Anderby in Lincolnshire, and a connection at the junction of the existing overhead lines at Weston Marsh, to the south of Boston, Lincolnshire.</p> <p>The decision (on the 10<sup>th</sup> August 2023) has been made that the Project’s OnSS will be connected at Surfleet Marsh (previously Weston Marsh North), with a proposed 400kV cable now running under the River Welland from Surfleet Marsh to National Grid’s substation at Weston Marsh – previously Weston Marsh South.</p> <p>The cable routing and the siting of the electrical transmission infrastructure has been driven by the OTNR, leading to a HND process which was undertaken by NGENSO. The HND covers the connection of all Round 4 leasing projects (like ODOW) and considers a “radial” and a “coordinated” option for each project and at a number of potential connection locations.</p> <p>The Applicant engaged with the HND throughout the development process and provided information where necessary/requested. In parallel to this, the Applicant progressed a number of options for the grid connection and associated cable route and substation sites, aligned with the options that were developed and evaluated by the HND, in order to ensure the development could progress, as far as possible, in parallel with the HND process (these are contained within Chapter 4: Site Selection and Consideration of Alternatives (APP-059)).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>In March 2022, as stated within Chapter 3: Project Description (APP-058), Ofgem confirmed that the connection for the Project should be a radial connection, and a, no opportunities for coordination with other projects are possible.</p>
	<p>EN-3 2.8.61- 28.64</p>	<p>For many wind farm projects, including those from The Crown Estate Leasing Round 4 onwards, connection agreements will be limited to connection points proposed through strategic network design exercises such as those undertaken by the National Grid Electricity System Operator (ESO), including the Holistic Network Design for offshore-onshore transmission. Please see section 2.7 and 2.8 of EN-5 for further details on strategic network designs.</p> <p>Transmission cabling from offshore energy infrastructure can negatively impact (both during installation and over their lifetime) seabed habitats and protected sites.</p> <p>It is expected that greater coordination of offshore-onshore transmission infrastructure is likely to reduce the cumulative environmental impacts and impacts on coastal communities by installing a smaller number of larger connections.</p> <p>Where applicants seek consent for offshore transmission infrastructure separately from proposals for offshore wind development, for example Multi-Purpose Interconnectors or Subsea ‘onshore’ transmission also referred to as bootstraps, (see Glossary and 2.12.3 in EN-5), consideration should be given at a strategic level to the overall environmental impacts of the offshore development and transmission infrastructure.</p>	<p>As confirmed by Ofgem in March 2022, there are no opportunities for a coordinated approach and as such the Applicant will pursue the offer from NGESO, aligned with existing regulations and commercial conditions to provide an onshore connection. Thus, ensuring no delay to the planned grid connection date and therefore continuing to support the UK Government’s 2030 targets for the deployment of 50 GW of offshore wind by 2030.</p> <p>Nevertheless, the Project has considered potential and viable coordinated offshore connections and how consenting could be approached making the most use of the information in this current application, including all of the environmental assessments undertaken. This was considered during the HND process, in which the Applicant progressed a number of options for the grid connection and associated cable route and substation sites, aligned with the options that were developed and evaluated by the HND, in order to ensure the Project could progress, as far as possible.</p>
	<p>EN-3 2.8.65 – 2.8.67</p>	<p>Early planning can help avoid the location of either windfarm or transmission infrastructure pushing the other into areas where environmental impacts could be increased.</p> <p>The location of arrays and transmission infrastructure should be assessed strategically (especially where they are not covered by the same consent or marine licence), and the mitigation hierarchy should be used to address any environmental impact.</p> <p>In addition, the applicant is expected to define the precise route for offshore transmission infrastructure, including the wind farm export cable to the offshore transmission network connection point or onshore connection point, the onshore and offshore locations of any associated infrastructure such as substations or the location of bootstraps/ subsea ‘onshore’ transmission. Please refer to definitions of offshore transmission in EN-5 at 2.12.3.</p>	<p>Chapter 4: Site Selection and Consideration of Alternatives (APP-059) sets out a description of the site selection process and the Applicant’s approach and guiding principles including the avoidance wherever feasible of key sensitive features. The mitigation hierarchy has been applied as outlined in the relevant chapters of the ES where potential environmental impacts have been identified.</p>
	<p>EN-3 2.8.68 – 2.8.70</p>	<p>The Applicant should assess the effects of the offshore transmission and any associated infrastructure on the marine, coastal and onshore environment.</p> <p>Where the Applicant does not know the precise location of the offshore transmission cables and any associated infrastructure, a corridor should be identified within which the specific infrastructure is proposed to be located.</p> <p>The ES for the proposed project should assess the effects of including this infrastructure within that corridor.</p>	<p>The precise location of the offshore transmission cables will be determined during the detailed design phase of the programme. An offshore ECC, onshore ECC and 400kV cable corridor have been identified and are outlined in</p> <p>Chapter 3: Project Description (APP-058) and Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>The offshore ECC runs from the array area to the Lincolnshire coast, which will then link to the onshore ECC. The offshore ECC can be seen in Figure 3.2 Offshore Order Limits (APP-089).</p> <p>The offshore ECC will make landfall at Wolla Bank, to the south of Anderby Creek (see Volume 2, Figure 3.1 Offshore and Onshore Order Limits (APP-089)). The onshore ECC will run south (west of the A52) underground, to the Project’s onshore substation (OnSS) location at Surfleet Marsh. 400kV cables will then connect the OnSS and the National Grid substation.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			The ES assesses the effects of the proposed infrastructure within the relevant chapters with reference to the MDS for each component.
	EN-3 2.8.71	Applicants are expected to demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing rounds and with any future statutory requirements, guidance or mitigation measures developed to deliver the commitments in the British Energy Security Strategy, including on Offshore Wind Environmental Standards (see 2.8.80 – 2.8.82 below) and other measures under the Offshore Wind Environmental Improvement Package which covers offshore wind electricity infrastructure.	<p>Due regard has been given to The Crown Estate (TCE) (2022) Plan-level Habitats Regulations Assessment for Round 4 in the site selection process which was completed in July 2022</p> <p>The plan-level HRA concluded that it was not possible to undertake a reasonable and meaningful assessment of potential export cables related to the Project, however, gave a high-level consideration to offshore export cabling, and the conclusions and outcomes of the plan-level HRA were relevant to developing and evaluating the offshore export cable route options.</p> <p>Further details on how the Project has considered the plan level HRA is contained within Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
	EN-3 2.8.73	Applicants should include details on how avoidance has been achieved, good design principles have been followed and provide proposals for mitigation. If the development is in English and Welsh waters, they should also demonstrate that they have considered how their proposals can contribute towards environmental net gain. Further information is provided in Sections 4.3, and 4.5 to 4.7 of EN-1.	<p>The Applicant has followed the mitigation hierarchy in respect of all potential impacts. In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design and specific to each topic. This could include project design measures, compliance with elements of good practice and use of standard protocols.</p> <p>The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p> <p>The Applicant has also considered opportunities for net gain as set out in detail within the Biodiversity Net Gain Report Principles and Approach document (APP-302). Please see the Applicant’s response to section 4.6 of EN-1</p>
Flexibility in the Project details	EN-3 2.8.74 – 2.8.75	<p>Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the Secretary of State. Such aspects may include:</p> <ul style="list-style-type: none"> <li>▪ the precise location and configuration of turbines and associated development;</li> <li>▪ the foundation type and size;</li> <li>▪ the installation technique or hammer energy;</li> <li>▪ the exact turbine blade tip height and rotor swept area;</li> <li>▪ the cable type and precise cable or offshore transmission route;</li> <li>▪ the exact locations of offshore and/or onshore substations.</li> <li>▪ Guidance on how applicants should manage flexibility is set out at 2.6 of this NPS and 4.3 of EN-1.</li> </ul>	<p>As described in Chapter 4: Site Selection and Consideration of Alternatives (document APP-059), a Rochdale envelope approach has been used to create a design envelope for the Project.</p> <p>The design envelope will provide certainty that the final project as built will not exceed the maximum parameters set out in the ES, whilst providing the necessary flexibility to accommodate further project refinement during the detailed design phase post-consent.</p> <p>This flexibility is required in terms of options for foundation types, Wind Turbine Generator (WTG) size, siting of infrastructure and construction methods etc. to ensure that anticipated changes in available technologies between now and the detailed design phase can be accommodated within the design, whilst retaining an EIA that considers all options, with conclusions that are robust regardless of the final design eventually built out.</p> <p>These parameters and maximum design scenarios are discussed in more detail within Chapter 3: Project Description (APP-058) and Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Micrositing and Microrouting	EN-3 2.8.76 – 2.8.77	<p>Micrositing/microrouting provides developers with flexibility to accommodate any unforeseen events, such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ. It can also be used to avoid sensitive habitats and designated environmental features.</p> <p>To inform micrositing/microrouting applicants should undertake high resolution survey work and make provision for investigative work, such as archaeological examination, to assess the impacts of any proposed cables or foundation placement on potential heritage assets.</p>	<p>Where possible, all intrusive activities will be routed and microsited to avoid any identified marine archaeological and cultural heritage receptors with AEZs as per mitigation outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). The Project considers that a construction working width of 80m would provide sufficient design flexibility to allow for micrositing.</p> <p>Regarding onshore receptors, the Export Cable Corridor (ECC) has been assessed at a width to allow for micro siting around obstacles and other constraints that may be identified in pre-construction surveys (see Chapter 20: Onshore Archaeology and Cultural Heritage (APP-075)). The chapter also sets out mitigation to avoid sensitive features including the restriction of a typically 60m working width within the typically 80m wide cable corridor to minimise ground disturbance to other remains of high importance.</p> <p>Micrositing is discussed in more detail in Chapter 3 Project Description (APP-058) and Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
	EN-3 2.8.78 – 2.8.79	<p>Applicants should submit an outline archaeological Written Scheme of Investigation (WSI) as part of the DCO submission, with a commitment to complete a project specific WSI post-consent in consultation with Historic England.</p> <p>Where the applicant requests micrositing or microrouting tolerance, and insofar as it is reasonably possible to do so, the applicant should factor this tolerance into the environmental impact assessment of the development’s worst-case scenario.</p>	<p>Two outline WSIs are included within the DCO submission as listed below:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Archaeological WSI (APP-282); and</li> <li>▪ Outline Onshore WSI (APP-283).</li> </ul> <p>The WSIs help establish the approach to further survey work to be undertaken for ODOW and provide a means for the recording of archaeological remains prior to the commencement of the development or during the commencement of the development according to the mitigation requirements agreed with the local authority against the framework of the OWSIs.</p> <p>Offshore Archaeology and Cultural Heritage mitigation includes the introduction of archaeological exclusion zones to be considered in routing/layout activities in order to avoid/preserve identified marine heritage receptors.</p> <p>Further information can be found within Chapter 13: Marine and Intertidal Archaeology (APP-068) and Chapter 20 Onshore Archaeology and Cultural Heritage (APP-075)</p>
Future Monitoring	EN-3 2.8.83 – 2.8.87	<p>Where requested by the Secretary of State applicants are required to undertake environmental monitoring (e.g., ornithological surveys, geomorphological surveys, archaeological surveys) prior to and during construction and operation.</p> <p>Monitoring must measure and document the effects of the development and the efficacy of any associated mitigation or compensation.</p> <p>This will enable an assessment of the accuracy of the original predictions and improve the evidence base for future mitigation and compensation measures enabling better decision-making in future EIAs and HRAs.</p> <p>Monitoring should be presented in formal reports which must be made publicly available. Monitoring data should be provided to The Crown Estate’s Marine Data Exchange.</p>	<p>Chapter 13 Marine and Intertidal Archaeology (APP-068) provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning phase.</p> <p>In addition, the application includes an Offshore In-Principle Monitoring Plan (document APP-276) which sets out the proposed approach to pre and post construction monitoring and provides a basis for delivering the measures by the conditions of the dMLs.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		Where appropriate, applicants are also encouraged to consider monitoring collaboratively with other developers and sea users. Work is ongoing between government and industry to support effective collaboration and the development of monitoring at a strategic level.	
Decommissioning	EN-3 2.8.88 – 2.8.89	<p>Section 105 of the Energy Act 2004 enables the Secretary of State to require the submission of a decommissioning programme for a proposed offshore wind farm, provided at least one of the statutory consents required (including one under the 2008 Act) has been given or has been applied for and is likely to be given.</p> <p>Where requested by the Secretary of State applicants should submit a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning.</p>	It is understood that the SoS will require a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning, this is secured by Requirement 7 of the DCO.
<b>Offshore wind environmental standards</b>			
Offshore wind environmental standards	EN-3 2.8.90 – 2.8.92	<p>As part of the Offshore Wind Environmental Improvement Package set out in the British Energy Security Strategy, Government committed to establishing Offshore Wind Environmental Standards (OWES; previously referred to as Nature Based Design Standards) to accelerate deployment whilst enhancing the marine environment. OWES aim to support developers to take a more consistent approach to avoiding, reducing, and mitigating the impacts of an offshore wind farm and/or offshore transmission infrastructure. The measures could apply to the design, construction, operation and decommissioning of offshore wind farms and offshore transmission (as defined in EN-5 at section 2.12).</p> <p>Defra will consult on a series of OWES before drafting clear OWES Guidance, which sets out where and how Defra expects each measure to be applied to a development. Once the OWES guidance is issued, the Secretary of State will expect applicants to have applied the relevant measures to their applications.</p> <p>Applicants should explain how their proposals comply with the guidance or, alternatively, the grounds on which a departure from them is justified. Any reasons for departure from the OWES should be fully detailed within the application documents, with details of any agreements made with statutory consultees.</p>	The Applicant has participated and will continue to participate in the ongoing consultation conducted by Defra in respect of the proposed OWES. At this time Defra has not published final OWES.
<b>Impacts</b>			
Impacts	EN-3 2.8.93 – 2.8.94	<p>The impacts identified in Part 5 of EN-1, and below, are not intended to be exhaustive.</p> <p>Applicants should provide information on relevant impacts as directed by this NPS and the Secretary of State.</p>	<p>The has been noted by the Applicant. The ES and accompanying document have considered all relevant impacts.</p> <p>This includes Chapter 4 Site Selection and Consideration of Alternatives (APP-059), whereby the site selection process has been through a process of detailed analysis of environmental, social, and engineering constraints and key feasible alternatives have been taken forward for consultation through the Scoping process, EPP, or through statutory pre-application consultation meetings. APP-059</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Biodiversity and ecological conservation	EN-3 2.8.95 – 2.8.97	<p>Generic biodiversity and ecology effects and receptors are covered in detail in Section 5.4 of EN-1.</p> <p>The coastal change policy in Section 5.6 of EN-1 may also be relevant.</p> <p>Impacts on the physical environment may have indirect effects on marine biodiversity</p>	<p>Please see the Applicant’s response to Section 5.4 of EN-1.</p> <p>Please see the Applicant’s response to Section 5.6 of EN-1.</p> <p>The potential effects of the Project on marine ecology, biodiversity and protected sites are considered in the following Chapters of the ES and the RIAA (APP-235)</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064)</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065)</li> <li>▪ Chapter 11 Marine Mammals (APP-066)</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067)</li> </ul> <p>It is demonstrated that the Project will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.</p>
	EN-3 2.8.98	<p>In addition, applicants should have regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure developments, namely:</p> <ul style="list-style-type: none"> <li>▪ fish (see Section 2.8.250 of this NPS); Intertidal and subtidal seabed habitats and species (see Section 2.8.233 of this NPS);</li> <li>▪ marine mammals (see Section 2.8.237 of this NPS);</li> <li>▪ birds (see Section 2.8.240 of this NPS); and</li> <li>▪ wider ecosystem impacts and interactions and other relevant protected migratory species.</li> </ul>	<p>The Applicant has had regard to the specific ecological and biodiversity considerations that relate to proposed offshore renewable energy infrastructure development as discussed in the following ES Chapters as part of the DCO Application:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064) which comprises the assessment of potential impacts of the Project on benthic and intertidal ecology including seabed habitats.</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065) which comprises the assessment of potential impacts of the Project on fish and shellfish ecology receptors.</li> <li>▪ Chapter 11 Marine Mammals (APP-066) which comprises the assessment of potential impacts of the Project on marine mammals.</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067) which comprises the assessment of potential impacts of the Project on offshore and intertidal ornithology (seabirds).</li> </ul> <p>Please also see the Applicant’s responses to the specific paragraphs outlined.</p>
	EN-3 2.8.99 – 2.8.100	<p>Evidence from existing offshore wind farms demonstrates that it has been possible to locate wind farms and transmission cabling in ecologically sensitive areas where careful siting of turbines has been undertaken following appropriate ecological surveys and assessments.</p> <p>However, with increasing deployment of offshore wind to 2030 and beyond, with a likely focus on deployment of fixed offshore wind in the shallow waters of the North Sea, it is likely that the Cumulative impact of multiple wind farms and electricity networks infrastructure on the marine environment will increase impacts beyond identified thresholds for increasing numbers of species and habitats, leading to increased requirements for both mitigation and compensation for impacts to be acceptable.</p>	<p>The Applicant has had regard to the outputs from relevant ecological surveys in the development of the Project and will undertake relevant pre-construction surveys to enable relevant siting of offshore infrastructure.</p> <p>Offshore cumulative impacts have been considered in the relevant ES Chapters including:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066); and</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067).</li> </ul>
	EN-3 2.8.101 - 2.8.102	<p>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).</p>	<p>The Applicant has undertaken a detailed assessment of the offshore ecological, biodiversity and physical impacts of the Project as outlined in the relevant chapters of the ES:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> </ul>

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		<p>Applicants need to consider environmental and biodiversity net gain as set out in Section 4.6 of EN-1 and the Environment Act 2021.</p>	<ul style="list-style-type: none"> <li>▪ Chapter 11 Marine Mammals (APP-066); and</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067).</li> </ul> <p>An MCZ assessment has been undertaken within Volume 3, Appendix 9.4: Marine Conservation Zone Assessment (APP-157), which demonstrates that there is no significant risk of the Project hindering the achievement of the conservation objectives stated for each of the MCZs considered in the ES.</p> <p>The Project is subject to a HRA to determine its potential effects on European Designated Sites and Species. As part of the HRA process, a screening exercise has been updated throughout the pre-application process and has been followed by appropriate assessment for those sites and features for which a Likely Significant Effect (LSE) was identified at screening. This has been reported in a RIAA (APP-235).</p> <p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features. The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>Please see the Applicant’s response to Section 4.3 of EN-1 in respect of Environmental Principles, Section 4.6 of EN-1 in respect of considerations of environmental and biodiversity net gain., Section 5.4 of EN-1 in respect of biodiversity and geological conservation.</p>
	<p>EN-3 2.8.103</p>	<p>Applicants should assess the potential of their proposed development to have net positive effects on marine ecology and biodiversity, as well as negative effects.</p>	<p>Through the adopted methodologies, each relevant chapter below of the ES considers the positive and negative effects of the Project in relation to marine ecology and biodiversity:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066);</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067) and;</li> <li>▪ The RIAA (APP-235).</li> </ul>
	EN-3 2.8.104	Applicants should consult at an early stage of pre-application with relevant statutory consultees and energy not-for profit organisations/non governmental organisations as appropriate, on the assessment methodologies, baseline data collection, and potential avoidance, mitigation and compensation options which should be undertaken.	<p>Consultation has been undertaken, in accordance with the statutory pre-application requirements, through bilateral engagement, non statutory and statutory consultation under the 2008 Act, the EPP and ETGs. The Consultation Report (APP-032) and each relevant ES Chapter sets out the consultation undertaken in respect of these aspects of the Project.</p> <p>An outline of the EPP is set out within the Evidence Plan Process Consultation (APP-052).</p>
	EN-3 2.8.105 - 2.8.107	<p>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 SNCB.</p> <p>Any relevant data that has been collected as part of post-construction ecological monitoring from existing, operational offshore wind farms should be referred to where appropriate.</p> <p>A range of research programmes are ongoing to investigate impacts of offshore wind farm development, including, but not limited to: BEIS SEA Research Programme, ORJIP, ScotMER, the Offshore Renewable Energy (ORE) Catapult and OWEC. Applicants should explain why their decisions on siting, design, and impact mitigation are proportionate and well-targeted, referring to relevant scientific research and literature as appropriate.</p>	<p>The Applicant has taken the guidance from Natural England as set out within the Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards Phase 1 – 4 reports into account where possible and as applicable to the Project.</p> <p>As part of the baseline characterisation for the Project, pre- and post-construction monitoring data has been used, where publicly available, to inform the baseline for the project, and to aid in the determination of the likely impacts arising from the Project, with details of the relevant reports set out within the ES.</p> <p>Where relevant, results from the noted research programmes, alongside data and conclusions from the wider grey and peer-reviewed literature, has been used within the impact assessments, aiding the determination of the potential for significant effects on the marine environment. Additionally, Chapter 4: Site Selection and Consideration of Alternatives [APP-059] and Chapter 3: Project Description [APP-058] set out the description and justifications for the final project siting and design, including embedded mitigation. Further details on how the proposed mitigation measures aid in reducing impacts is considered within the relevant aspect chapters of the ES.</p>
	EN-3 2.8.108 – 2.8.110	<p>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 MMO or NRW.</p> <p>Applicants should have regard to duties in relation to Good Environmental Status (GES) of marine waters under the UK Marine Strategy and MPA target (including any interim target) in England, set under the Environment Act 2021.</p> <p>The British Energy Security Strategy commits 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.</p>	<p>The Consultation Report (APP-032) discusses the consultation undertaken with the MMO. The results of these consultations and discussions have fed into the development of the draft deemed Marine Licences as included in the draft DCO submitted (APP-303)</p> <p>Consultation has been undertaken through the scoping process, bilateral engagement and statutory and non statutory consultation carried out under the 2008 Act, the ETGs and EPP. Consultation related to coastal processes and geomorphology is detailed in Chapter 7 Marine Physical Processes (APP-062). The Applicant has undertaken consultation via the EPP on methods for assessment of impacts on physical processes with the relevant stakeholders including MMO. The Project has been assessed in as not having a major impact as a result of dredging or deposit of any substance or object into the sea.</p> <p>To date, no review or changes to the approach to HRA has been published. The RIAA (APP-235) submitted with the application complies with all current relevant legislation and guidance.</p>

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Physical environment	EN-3 2.8.111	<p>The construction, operation and decommissioning of offshore energy infrastructure (including the preparation and installation of the cable route and any electricity networks infrastructure) can affect the following elements of the physical offshore environment, which can have knock on impacts on other biodiversity receptors:</p> <ul style="list-style-type: none"> <li>• water quality – disturbance of the seabed sediments or release of contaminants can result in direct or indirect effects on habitats and biodiversity, as well as on fish stocks thus affecting the fishing industry;</li> <li>• waves and tides – the presence of the turbines can cause indirect effects through change to wave climate and tidal currents on flood and coastal erosion risk management, marine ecology and biodiversity, marine archaeology and potentially coastal recreation activities;</li> <li>• scour effect – the presence of wind turbines and other infrastructure can result in a change in the water movements within the immediate vicinity of the infrastructure, resulting in scour (localised seabed erosion) around the structures. This can indirectly affect navigation channels for marine vessels, marine archaeology and impact biodiversity and seabed habitats;</li> <li>• sediment transport – the resultant movement of sediments, such as sand across the seabed or in the water column, can indirectly affect navigation channels for marine vessels, could affect sediment supply to sensitive coastal sites and impact biodiversity and seabed habitats;</li> <li>• suspended solids – the release of sediment during construction, operation and decommissioning can cause indirect effects on marine ecology and biodiversity;</li> <li>• sandwaves – the modification/clearance of sandwaves can cause direct physical (such as in affecting unknown archaeological remains) and ecological effects both at the seabed and within the water column due to disturbance and suspension of sediment, and potentially indirect effects (e.g. changes to seabed morphology in water depths where waves can influence the seabed, which can in turn affect wave climate and sediment transport; and</li> <li>• water column – wind turbine structures can also affect water column features such as tidal mixing fronts or stratification due to a change in hydrodynamics and turbulence around structures.</li> </ul>	<p>Indirect impacts on other biodiversity receptors, such as those outlined within paragraph 2.8.111 have been considered within the relevant chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 8 Marine Water and Sediment Quality (APP-063)</li> <li>▪ Chapter 9 Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10 Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11 Marine Mammals (APP-066); and</li> <li>▪ Chapter 12 Offshore and Intertidal Ornithology (APP-067).</li> <li>▪ Chapter 13 Marine and Intertidal Archaeology (APP-068)</li> <li>▪ Chapter 15 Shipping and Navigation (APP-070)</li> </ul> <p>In particular, Chapter 7: Marine Physical Processes (APP-062) considers:</p> <ul style="list-style-type: none"> <li>▪ Turbidity and seabed levels;</li> <li>▪ Seabed morphology (sandbanks, sandwave areas and notable bathymetric depressions);</li> <li>▪ Modifications to littoral transport and coastal behaviour (erosion);</li> <li>▪ Modifications to the wave and tidal regime; and</li> <li>▪ Seabed scouring.</li> </ul> <p>The assessment results presented in this chapter are supported by the following technical annexes:</p> <ul style="list-style-type: none"> <li>▪ Appendix 7.1: Marine Physical Processes Technical Baseline (AS-003); and</li> <li>▪ Appendix 7.2: Physical Processes Modelling Report (APP-151).</li> </ul> <p>Predictions of change to physical processes which could arise from construction, operation and maintenance and decommissioning phases of the Project are presented in Section 7.12 of Chapter 7: Marine Physical Processes (APP-062).</p> <p>Contaminant analysis of sediment samples collected during the Project-specific benthic survey are also presented in Chapter 8 Marine Water and Sediment Quality (APP-063).</p> <p>Overall, it is concluded that after mitigation, there will be no significant adverse impacts on the other biodiversity receptors listed.</p>
	EN-3 2.8.112 – 2.8.114	<p>Applicant assessments are expected to include predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and seabed morphology that will result from the construction, operation and decommissioning of the required infrastructure.</p> <p>Assessments should also include effects such as the scouring that may result from the proposed development and how that might impact sensitive species and habitats.</p> <p>Applicants should undertake geotechnical investigations as part of the assessment, enabling the design of appropriate construction techniques to minimise any adverse effects.</p>	<p>Predictions of the physical effects arising from modifications to hydrodynamics (waves and tides), sediments and sediment transport, and resultant changes to sea bed morphology from construction, O&amp;M and decommissioning of the Project are presented in Section 7.12.1 (for the construction phase), Section 7.12.2 (for the O&amp;M phase) and Section 7.12.3 (for the decommissioning phase) of Chapter 7: Marine Physical Processes (APP-062).</p> <p>An assessment of potential impacts associated with seabed scouring is provided in paragraph 181 et seq. with relevant mitigation measures outlined in Table 7.4 of Chapter 7: Marine Physical Processes (APP-062).</p> <p>A desk-based geotechnical data survey, which included the use of client-issued and publicly available data to establish the likely ground conditions and create a preliminary</p>

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			<p>ground model of the area which , was used to inform the assessment and included within Appendix 7.1: Marine Physical Processes Technical Baseline (AS-003).</p> <p>The assessment of potential resulting effects on marine ecology is documented in Chapter 9: Benthic and Intertidal Ecology (APP-064).</p> <p>Overall, it is concluded that after mitigation, there will be no significant adverse impact.</p>
Intertidal and Coastal Habitats and Species	EN-3 2.8.115 – 2.8.118	<p>The Intertidal zone is the area between mean high water springs and mean low water springs.</p> <p>Intertidal habitat and ecology are often recognised through statutory nature conservation designations.</p> <p>Coastal habitats (in the coastal fringe above the high-water mark) are also often protected, may also be affected and should undergo a similar review as part of the assessment detailed below.</p> <p>Export cable and other offshore transmission routes will cross the Intertidal/coastal zone resulting in habitat loss, morphological change and temporary disturbance of Intertidal flora and fauna.</p>	<p>Details regarding alternative Landfall sites that have been considered during the design phase and an explanation for the final choice is provided in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Consideration of the specific effects of increased suspended sediment load and the associated sediment deposition on benthic and Intertidal ecology are set out in Chapter 9 Benthic and Intertidal Ecology (APP-064).</p> <p>An assessment of the effects from all development phases on benthic and Intertidal habitats and species in the vicinity of the Project is provided in Chapter 9 Benthic and Intertidal Ecology (APP-064). These assessments included all likely effects from temporary and permanent habitat loss and the effects of changes in physical processes.</p>
	EN-3 2.8.119	<p>Applicant assessment of the effects of installing offshore transmission infrastructure across the Intertidal/coastal zone should demonstrate compliance with mitigation measures in any relevant plan-level HRA including those prepared by The Crown Estate as part of its leasing round and include information, where relevant, about:</p> <ul style="list-style-type: none"> <li>▪ any alternative landfall sites that have been considered by the applicant during the design phase and an explanation for the final choice;</li> <li>▪ any alternative cable installation methods that have been considered by the applicant during the design phase and an explanation for the final choice;</li> <li>▪ potential loss of habitat;</li> <li>▪ disturbance during cable installation, maintenance/repairs and removal (decommissioning);</li> <li>▪ increased suspended sediment loads in the Intertidal zone during installation and maintenance/repairs;</li> <li>▪ potential risk from invasive and non-native species;</li> <li>▪ predicted rates at which the Intertidal zone might recover from temporary effects, based on existing monitoring data; and</li> <li>▪ Protected sites.</li> </ul>	<p>An assessment of the effects of benthic and Intertidal disturbances throughout the whole of the development can be found in Chapter 9 Benthic and Intertidal Ecology (APP-064). The assessments within the chapter for Benthic and Intertidal Ecology specifically refer construction vessels and anchors and habitat disturbance within the Intertidal zone.</p> <p>The likely rates of recovery of benthic and intertidal habitats/species have been presented for each impact assessed and are based on the Marine Evidence Based Sensitivity Assessment (MarESA) which has been used to inform the assessment as set out in Chapter 9 Benthic and Intertidal Ecology (APP-064).</p> <p>Predictions of change to physical processes that could arise from the construction and O&amp;M of the Project are presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>The plan level HRA did not identify any likely AEOI on benthic features relevant to the Project. A possibility of an AEOI on the kittiwake feature of the Flamborough Filey Coast SPA was identified and has been addressed by the Project’s derogation case.</p>
Subtidal habitats and species	EN-3 2.8.120 – 2.8.122	<p>The subtidal zone is the area below low water springs which remains submerged at low tide.</p> <p>Subtidal habitat and ecology are often recognised through statutory nature conservation designations.</p> <p>Offshore wind construction, maintenance and decommissioning activities can cause loss and temporary disturbance of subtidal habitat and benthic ecology.</p>	<p>Assessment of the potential effects on subtidal ecology and disturbance during cable installation and removal, as well as expected rates of recovery, are set out in Chapter 9 Benthic and Intertidal Ecology (APP-064).</p>
	EN-3	<p>The applicant should demonstrate compliance with mitigation measures identified by The Crown Estate in any plan-level HRA produced as part of its leasing round.</p>	<p>Please see the Applicant’s response to paragraphs 2.8.71 and 2.8.101-102 of EN-3 above.</p>

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	2.8.123 – 2.8.126	<p>Applicants should follow guidelines for leasing transmission assets infrastructures, and any successor to it produced by The Crown Estate.</p> <p>All work associated with cable installation including trenching, laying and surface protections are licenced through a Deemed Marine Licence as part of the DCO, with the exception of Welsh inshore waters (defined as the region extending seaward 12 nautical miles from Mean High Water Springs (MHWS) to the territorial limit) where a Marine Licence cannot be deemed. In all offshore windfarm cases however, applicants should be aware that the operation and maintenance of cables after construction may require new Marine Licences.</p> <p>Applicant assessment of the effects on the subtidal environment should include:</p> <ul style="list-style-type: none"> <li>▪ loss of habitat due to foundation type including associated seabed preparation, predicted scour, scour protection and altered sedimentary processes, e.g. sandwave/boulder/Unexploded Ordinance (UXO) clearance;</li> <li>▪ environmental appraisal of Inter-array and other offshore transmission and installation/maintenance methods, including predicted loss of habitat due to predicted scour and scour/cable protection and sandwave/boulder/UXO clearance;</li> <li>▪ habitat disturbance from construction and maintenance/repair vessels' extendable legs and anchors;</li> <li>▪ increased suspended sediment loads during construction and from maintenance/repairs;</li> <li>▪ predicted rates at which the subtidal zone might recover from temporary effects;</li> <li>▪ potential impacts from Electromagnetic Fields (EMF) on benthic fauna;</li> <li>▪ potential impacts upon natural ecosystem functioning;</li> <li>▪ protected sites; and</li> <li>▪ potential for invasive/non-native species introduction.</li> </ul>	<p>Chapter 9: Benthic and Intertidal Ecology (APP-064) assesses the potential impact of ODOW on subtidal habitats and species. The assessment for Benthic and Intertidal Ecology has considered several possible environmental effects including the impacts of temporary habitat loss and increases in suspended sediment concentrations from construction activities, long term habitat loss / change and temporary disturbances from maintenance activities, as well as impacts arising during the operation and decommissioning phases.</p> <p>Two deemed marine licences pursuant to the provisions of the MCAA 2009 are included within the draft DCO, through provisions in Section 149A of the 2008 Act, ensuring that the MMO act as a statutory consultee to the DCO process. See Other Consents and Licences (APP-305) for further information. Predictions of change to physical processes that could arise from the construction, O&amp;M and decommissioning of the Project are presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>An assessment of the effects of benthic and intertidal disturbances throughout the whole of the development can be found in Chapter 9 Benthic and Intertidal Ecology (APP-064). The assessments within the chapter for Benthic and Intertidal Ecology have specific reference to construction vessels and anchors and habitat disturbance within the intertidal zone.</p> <p>The likely rates of recovery of benthic and intertidal habitats/species have been presented for each impact assessed and are based on the Marine Evidence Based Sensitivity Assessment (MarESA) which has been used to inform the assessment as set out in Chapter 9 Benthic and Intertidal Ecology (APP-064).</p> <p>An assessment of the effects from all development phases on benthic and intertidal habitats and species in the vicinity of the Project is provided in Chapter 9 Benthic and Intertidal Ecology (APP-064). These assessments included all likely effects from temporary and permanent habitat loss and the effects of changes in physical processes.</p> <p>Consideration of the indirect disturbance of EMF generated by Inter-array and Export cables and effects on protected species are set out in Chapter 9 Benthic and Intertidal Ecology (APP-064).</p> <p>Following mitigation measures no significant effect in EIA terms have been identified in relation to these topics.</p> <p>The mitigation measures proposed in relation to the subtidal environment include:</p> <ul style="list-style-type: none"> <li>▪ An Outline Project Environmental Management Plan (APP-277) to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental management measures are applied during construction and operation and;</li> <li>▪ Outline Cable Specification and Installation Plan (APP-278) which will set out appropriate cable burial depth in accordance with industry good practice,</li> </ul>

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			<p>minimising the risk of cable exposure and thus the need for additional cable protection.</p> <p>The above mitigation has been informed by relevant Statutory Consultees as outlined within the Consultation Report (APP-032).</p>
Marine Mammals	EN-3 2.8.127 – 3.8.129	<p>Construction activities, including installing wind turbine foundations by pile driving, geophysical surveys, and clearing the site and cable route of UXOs may reach noise levels which are high enough to cause disturbance, injury, or even death to marine mammals.</p> <p>All marine mammals are protected under Part 3 of the Habitats Regulations (cetaceans within Schedule 2 and seal species within Schedule 4).</p> <p>If construction and associated noise levels are likely to lead to an offence under Part 3 of the Habitats Regulations (which would include deliberately disturbing, injuring or killing), applicants will need to apply for a wildlife licence to allow the activity to take place.</p>	<p>The effects of the Project's construction, including associated noise effects, on marine mammals, including injury and disturbance from piling, geophysical surveys and UXO clearance, are assessed in Chapter 11: Marine Mammals (APP-066).</p> <p>The Applicant is not seeking to authorise clearance of UXO within the DCO. However, experience from other projects in the southern North Sea suggests that UXO may be present within the Project array and export cable corridor, and that UXO clearance work may be required in some cases. This will need to be confirmed by site-specific pre-construction surveys.</p> <p>While the Applicant's preference is for no UXO clearance to occur, depending on the survey outcomes, clearance (including potential detonation) may be required as a safety measure prior to construction. Any necessary Marine Licences (and associated EPS Licences) for such activities will be sought prior to construction of the Project.</p> <p>As noted above, the Applicant has submitted an Outline Marine Mammal Mitigation Protocol for UXO Clearance (APP-280), which will minimise the impacts of unexploded ordnance clearance (if required).</p>
	EN-3 2.8.130	The development of offshore wind farms can also impact fish species (see paragraphs 2.8.235 – 2.8.239), which can have indirect impacts on marine mammals if those fish are prey species.	Impacts to marine mammals arising from changes to prey availability and vessel collision risk have been assessed in Chapter 11 Marine Mammals (APP-066). There is no risk of entanglement with floating wind structures as there are no floating elements to the Project (see Chapter 3 Project Description (APP-058)).
	EN-3 2.8.131	<p>Where necessary, assessment of the effects on marine mammals should include details of:</p> <ul style="list-style-type: none"> <li>▪ likely feeding areas and impacts on prey species and prey habitat;</li> <li>▪ known birthing areas/haul out sites for breeding and pupping;</li> <li>▪ migration routes;</li> <li>▪ protected sites;</li> <li>▪ Baseline noise levels;</li> <li>▪ predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance;</li> <li>▪ operational noise;</li> <li>▪ duration and spatial extent of the impacting activities including cumulative/in-combination effects with other plans or projects;</li> <li>▪ collision risk;</li> <li>▪ entanglement risk; and</li> <li>▪ barrier risk.</li> </ul>	<p>Throughout the EIA and HRA all relevant impacts have been identified, discussed, analysed and mitigated for if necessary (see Chapter 11 Marine Mammals (APP-066) which considers all the assessment stages from construction to decommissioning).</p> <p>The noise assessment for the Project is detailed in Chapter 26 Noise and Vibration (APP-081). The noise generated by construction operations and the operational noise from the OnSS on International or National ecological sites situated near the Landfall, ECC and OnSS have been predicted and assessed in accordance with the limits contained in AQTAG09 (Air Quality Technical Advisory Group 09). This guidance is intended to be used to assess the potential adverse impact of sound, of an industrial and/or commercial nature on wildlife.</p> <p>Chapter 26 Noise and Vibration (APP-081) acknowledges that a detailed list of construction plant, operational noise levels and associated on-times for all the construction activities/operations is not yet available.</p>
	EN-3 2.8.132	The scope, effort and methods required for marine mammal surveys and impact assessments should be discussed with the relevant SNCB	The Applicant has consulted extensively with the MMO both throughout the consultation phases and through the EPP process and participation in the ETGs. Responses received and how the Applicant has had regard to these are outlined in Appendix 5.1.4 of the Consultation Report (Consultation Report Appendix 4B Section 42 Responses (APP-038)).

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			See Chapter 11 Marine Mammals (APP-066) for the scope, methods and discussions held relating to the marine mammals surveys
	EN-3 2.8.133	The applicant should discuss any proposed noisy activities with the relevant statutory body and must reference the joint JNCC and SNCB underwater noise guidance, and any successor of this guidance, in relation to noisy activities (alone and in-combination with other plans or projects) within SACs, SPAs, and Ramsar sites, in addition to the JNCC mitigation guidelines for piling, explosive use, and geophysical surveys. NRW has a position statement on assessing noisy activities which should also be referenced where relevant.	<p>This has been assessed in the RIAA (APP-235) and EIA impacts from underwater noise assessed in Chapter 11 Marine Mammals (APP-066) in Appendix 11.2: Underwater Noise Assessment (APP-161). The documents consider the potential effects of development associated with marine mammal ecology across all development stages (construction, operation and maintenance and decommissioning)</p> <p>The assessment of the risk of injury in marine mammals follows the draft 2010 advice issued by JNCC, the Countryside Council for Wales (CCW) and NE, titled ‘The protection of marine European Protected Species (EPS) from injury and disturbance’.</p> <p>Mitigation measures which will be used to minimise impacts to marine mammals are shown within the Outline MMMP documents, as listed:</p> <ul style="list-style-type: none"> <li>▪ Outline Marine Mammal Mitigation Protocol (Piling) (APP-279); and</li> <li>▪ Outline Marine Mammal Mitigation Protocol (UXO) (APP-280)</li> </ul> <p>The piling MMMP and UXO MMMP have been discussed in the relevant ETGs and Outline documents have been provided as part of the ES (document APP-279 and document APP-280 respectively).</p> <p>Mitigation for disturbance risk is also provided for separately within the Outline SNS SIP which will be provided alongside the DCO Application. Discussion around the use of a SIP is within Section 9.3 and 10.3 of the RIAA (APP-235).</p> <p>An Outline SIP has been submitted alongside the Application (see In Principle Southern North Sea Special Area of Conservation Site Integrity Plan (SIP) (APP-281)).</p> <p>The mitigation proposed has been considered as part of consultation and considered to be acceptable to Natural England (see Consultation Report (APP-032)).</p>
	EN-3 2.8.134	Where the assessment identifies that noise from construction and UXO clearance may reach noise levels likely to lead to noise thresholds being exceeded (as detailed in the JNCC guidance) or an offence as described in paragraph 2.8.119 above, the Applicant will be expected to look at possible alternatives or appropriate mitigation.	<p>Chapter 11 Marine Mammals (APP-066) assesses the potential effects of development (construction, operation and maintenance and decommissioning) associated with ODOW on marine mammal ecology. Appendix 11.2: Underwater Noise Assessment (APP-161) considers the impacts of noise associated with ODOW on marine mammals.</p> <p>The production and implementation of a Marine Mammal Mitigation Protocol (MMMP) will minimise the impacts of noise, piling and UXO clearance (if required). After mitigation, there are no likely unacceptable noise related impacts. The mitigation measures for underwater noise are specified in and further detail can be found in Outline Marine Mammal Mitigation Protocol (Piling) (APP-279) and Outline Marine Mammal Mitigation Protocol (UXO) (APP-280).</p> <p>Overall, the assessment described above conclude that any disturbance would be a slight adverse significance, which is not significant in EIA terms.</p>
	EN-3 2.8.135	The applicant should develop a Site Integrity Plan (SIP) or alternative assessments for projects in English and Welsh waters to allow the cumulative impacts of underwater noise to be reviewed closer to the construction date, when there is more certainty in other plans and projects.	An Outline SIP has been submitted (APP-281), which identifies a series of potential mitigation methods that could be utilised to reduce the impacts of underwater noise. A final SIP will be submitted in the post-consent stage as required by the dMLs.

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Birds	EN-3 2.8.136	Offshore wind farms have the potential to impact on birds through: collisions with rotating blades; direct habitat loss; disturbance from construction activities such as the movement of construction/decommissioning/maintenance vessels and piling; displacement during the operational phase, resulting in loss of foraging/roosting area; and impacts on bird flight lines (i.e., barrier effect) and associated increased energy use by birds for commuting flights between roosting and foraging areas. Impacts upon prey species and prey habitat; and impacts on protected sites.	<p>The potential impacts related to offshore ornithology are discussed throughout the ES, predominantly within Chapter 12 Offshore and Intertidal Ornithology (APP-067) and the HRA (see HRA Screening Report (APP-239)).</p> <p>The assessment for offshore ornithology has considered several possible environmental effects including the impacts of disturbance during construction and decommissioning and the impacts of birds colliding with the turbines during the operation of the windfarm.</p> <p>The chapter is also supported by the following appendices:</p> <ul style="list-style-type: none"> <li>▪ Appendix 12.1: Intertidal and Offshore Ornithology Technical Baseline (APP-162);</li> <li>▪ Appendix 12.2: Collision Risk Modelling Assessment Appendix (APP-163);</li> <li>▪ Appendix 12.3 : Displacement Assessment Appendix (APP-164); and</li> <li>▪ Appendix 12.5: Migratory Collision Risk Modelling Appendix (APP-166).</li> </ul> <p>The chapters below also consider ornithological impacts:</p> <ul style="list-style-type: none"> <li>▪ Chapter 10 : Fish and Shellfish Ecology (APP-065) (in terms of key prey resources available to birds);</li> <li>▪ Chapter 9: Benthic Subtidal and Intertidal Ecology (APP-064) (in terms of relevant habitat and key prey resources available to birds); and</li> <li>▪ Chapter 22: Onshore Ornithology (APP-077).</li> </ul> <p>These documents discussed in this section collectively comply with the requirements of EN-3 Paragraph 2.8.136 to ensure impacts to birds have been adequately assessed.</p>
	EN-3 2.8.137	Currently, Cumulative impact assessments for ornithology are based on the consented Rochdale Envelope parameters of projects, rather than the ‘as-built’ parameters, which may pose a lower risk to birds.	<p>The potential impacts on ornithology are discussed throughout the ES and predominantly within Chapter 12 Offshore and Intertidal Ornithology (APP-067).</p> <p>The assessment for Offshore Ornithology has considered several possible environmental effects including the impacts of disturbance and displacement during construction and decommissioning and the impacts of birds colliding with the turbines during the operation of the windfarm.</p> <p>Cumulative effects are considered in Section 12.10 of Chapter 12 Offshore and Intertidal Ornithology (APP-067) which uses advice from the Offshore Ornithology and Derogation and Compensation ETG (Natural England, 28 November 2022).</p> <p>The possible over-precautionary assumptions built into cumulative assessments of particular impacts on species are highlighted, although not relied on to determine overall level of significance.</p>
	EN-3 2.8.138	The applicant must ensure any draft consents include provisions to define the final ‘as built’ parameters (which may not then be exceeded). These parameters must be used in future cumulative impact assessments.	The project design parameters, or a combination of project design parameters that are likely to result in the greatest potential for change in relation to each impact assessed have been established as the MDS.
	EN-3 2.8.139 – 2.8.140	In parallel the Government will look to explore opportunities to reassess ornithological impact assessment of historic consents to reflect their ‘as built’ parameters.	Noted by the Applicant.

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		Any ornithological ‘headroom’ assessed to exist between the effects defined in the ‘as built’ parameters and Rochdale Envelope parameters can then be released, with SNCB agreement.	
	EN-3 2.8.141 – 2.8.142	Applicants are encouraged to make appropriate applications for amendments to development consent to secure reduced parameters and ornithological impacts.  Government will also consider the potential applicability of these principles to other consent parameters.	Where necessary and required, the Applicant will make the appropriate amendments to development consent to secured reduced parameters and ornithological impacts.
	EN-3 2.8.143	Applicants should discuss the scope, effort and methods required for ornithological surveys with the relevant statutory advisor, taking into consideration Baseline and monitoring data from operational windfarms.	The scope and methods for ornithological surveys are discussed in Chapter 12 Offshore and Intertidal Ornithology (APP-067) and in Chapter 22: Onshore Ornithology (APP-077).  Consultation regarding Intertidal and Offshore Ornithology has been conducted through bilateral consultation, statutory and non statutory consultation carried out under the 2008 Act, the Evidence Plan Process (EPP) and as part of the EIA scoping process (Outer Dowsing Offshore Wind, 2022) and the Preliminary Environmental Information Report (PEIR) process (Outer Dowsing Offshore Wind, 2023). An overview of consultation undertaken is presented in the Consultation Report (APP-032).
	EN-3 2.8.144	Applicants must undertake collision risk modelling, as well as displacement and population viability assessments for certain species of birds. Applicants are expected to seek advice from SNCBs.	Collision and displacement assessments have been undertaken for relevant species as set out in Chapter 12 Offshore and Intertidal Ornithology (APP-067). Where relevant and on a species-by-species basis, Population Viability Assessment (PVA) has been undertaken with the results presented in Chapter 12 Offshore and Intertidal Ornithology (APP-067).  Consultation has been undertaken with NE through the scoping process have been ongoing through the EPP as set out in Chapter 9 Benthic and Intertidal Ecology (APP-064).(see, Appendix 12.2: Collision Risk Modelling Assessment (APP-163)).  Appendix 12.2: Collision Risk Modelling Assessment (APP-163) and provides the methodology and results of the collision risk modelling (CRM) that forms part of the ornithological assessment completed to date. Potential effects from displacement and collision risk are presented and assessed in Section 12.8 of Chapter 12 Offshore and Intertidal Ornithology (APP-067).
Fish	EN-3 2.8.147 – 2.8.149	Fish in the context of this NPS also includes elasmobranchs (sharks and rays) and shellfish (e.g., crabs).  There is the potential for the construction and decommissioning phases, including activities occurring both above and below the seabed, to impact fish communities, migration routes, spawning activities and nursery areas of particular species.  There are potential impacts associated with energy emissions into the environment (e.g. noise or electromagnetic fields (EMF), as well as potential interaction with seabed sediments.	The assessment for fish and shellfish ecology within Chapter 10: Fish and Shellfish Ecology (APP-065) considers potential environmental impacts associated with the construction, operation and decommissioning of the Project and have been assessed across various categories. This includes mortality, injury, behavioural changes, and habitat disturbances.  Mitigation has been proposed in the chapter to ensure no significant effects materialise which include: <ul style="list-style-type: none"> <li>▪ An outline Piling Marine Mammal Mitigation Program (MMMP) (APP-279) which will minimize the risk of auditory injury to negligible levels;</li> <li>▪ An outline Cable Specification and Installation Plan that will be developed prior to construction, which will specify the installation techniques, necessary minimum burial depths and any remedial protection required; and</li> <li>▪ An outline Project Environment Management Plan (APP-277) which will include a Marine Pollution Contingency Plan (MPCP) that will safeguard the</li> </ul>

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			<p>marine environment in the event of accidental pollution occurring as a result of Project operations.</p> <p>The above mitigation has been informed by consultation with relevant statutory and non-statutory stakeholders which has been carried out from the early stages of the Project (see Chapter 10 Fish and Shellfish Ecology (APP-065) for a summary of consultation regarding fish and shellfish).</p>
	EN-3 2.8.150	<p>The Applicant should identify fish species that are the most likely receptors of impacts with respect to:</p> <ul style="list-style-type: none"> <li>▪ spawning grounds;</li> <li>▪ nursery grounds;</li> <li>▪ feeding grounds;</li> <li>▪ over-wintering areas for crustaceans;</li> <li>▪ migration routes; and</li> <li>▪ protected sites.</li> </ul>	<p>In line with CIEEM 2018 Guidance, the Applicant has identified Valued Ecological Receptors within the fish and shellfish study area which are shown in Table 10.6 of Chapter 10 Fish and Shellfish Ecology (APP-065).</p>
	EN-3 2.8.151	<p>Applicant assessments should identify the potential implications of underwater noise from construction and unexploded ordnance including, where possible, implications of predicted construction and soft start noise levels in relation to mortality, permanent threshold shift (PTS), temporary threshold shift (TTS) and disturbance and addressing both sound pressure and particle motion) and EMF on sensitive fish species.</p>	<p>Potential implications from underwater noise and EMF on fish and shellfish receptors have been assessed in Section 10.6 within Chapter 10 Fish and Shellfish Ecology (APP-065). The assessment of underwater noise impacts in-combination with other marine activities is provided in Section 10.7 of the chapter.</p> <p>Appendix 11.2: Underwater Noise Assessment (APP-161) considers the impacts of noise associated with ODOW on fish.</p> <p>Embedded mitigation in relation to fish and shellfish ecology is provided in Table 10.8 of within Chapter 10 Fish and Shellfish Ecology (APP-065) and Table 11.8 of Chapter 11: Marine Mammals (APP-066).</p> <p>Mitigation measures include a piling Marine Mammal Mitigation Programme (MMMP) which will be developed and implemented during construction following the principles set out in the Outline MMMP (APP-279). Whilst the implementation of a MMMP is not aimed at fish and shellfish receptors, the measures detailed within it (such as soft start procedures) will provide benefit to mobile fish receptors.</p>
Commercial fisheries and fishing	EN-3 2.8.152 – 2.8.153	<p>There are a number of different fishing activities within UK waters including:</p> <ul style="list-style-type: none"> <li>▪ bottom trawling;</li> <li>▪ mid-water trawling;</li> <li>▪ long-lining;</li> <li>▪ dredging;</li> <li>▪ fixed netting;</li> <li>▪ drift netting;</li> <li>▪ seine netting; and</li> <li>▪ potting.</li> </ul> <p>The UK fishing industry is diverse. The type and significance of impacts will therefore vary depending on the section of the fleet affected. Applicants should consider both direct impacts on</p>	<p>Chapter 14: Commercial Fisheries (APP-069) sets out the assessment of potential impacts on commercial fisheries and embedded mitigation. The Applicant has consulted with fishing stakeholders in order to fully understand the extent of any potential impacts.</p> <p>The assessment for Commercial Fisheries has considered several impacts, including reduction in access to, or exclusions from established fishing grounds and displacement leading to fishing gear conflict and increased pressure on adjacent fishing grounds, across all project phases.</p>

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		fishing activity and indirect impacts such as displacement (on both the industry and Marine Protected Sites) and the ability of fishers to relocate.	
	EN-3 2.8.154- 2.8.155	<p>Applicants should undertake early consultation with a cross-section of the fishing industry, as well as MMO, SNCBs, relevant Inshore Fisheries and Conservation Authorities (IFCAs), Defra and Welsh Government, to identify impacts, and actively encourage input from active fishers to provide evidence of their use of the area to support the impact assessments.</p> <p>Where any part of a proposal involves a grid connection or transmission to shore or in the inshore area, appropriate inshore fisheries groups should also be consulted.</p>	<p>The Applicant has consulted with representatives of the fishing industry and appointed company Fisheries Liaison Officer has been in post since 2021, actively identifying and regularly engaging with fisheries active in the Project area and making regular visits to local fishing ports.</p> <p>Engagement relating to commercial fisheries is summarised in Section 14.3 of Chapter 14 Commercial Fisheries (APP-069) and the Consultation Report (APP-032)</p>
	EN-3 2.8.156	Offshore wind farms can have a negative impact on some fish stocks and fishing activity, and/or a positive impact on other fish stocks and/or other types of commercial fishing. Whilst the footprint of an offshore wind farm and any associated infrastructure may be a hindrance to certain types of commercial fishing activity such as trawling, other fishing activities, such as potting, may be able to take place within operational wind farms without unduly disrupting or compromising navigational safety.	<p>Relevant surveys and data are detailed in Chapter 10 Fish and Shellfish Ecology (APP-065) which consider fish stocks, both potentially negatively and positively.</p> <p>The effects arising from the Project have been discussed with statutory bodies during pre- and post-application consultation. The Project is taking, and will continue to take, steps to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Designed-in measures related to commercial fisheries will be adopted as part of the Project are provided in Chapter 14 Commercial Fisheries (APP-069).</p>
	EN-3 2.8.157 – 2.8.158	<p>Applicant assessments should include robust Baseline data and detailed surveys of the effects on fish stocks of commercial interest, and any potential reduction or increase in such stocks that will result from the presence of the wind farm development and of any safety zones (see paragraph 2.8.151). The assessments should also provide evidence regarding any likely benefits or constraints on fishing activity within the Project’s boundaries.</p> <p>Applicants will be expected to undertake dialogue with the fishing industry during the planning and design of individual offshore wind farm and transmission proposals to maximise the potential for co-existence/co-location and reduce potential displacement.</p>	<p>Relevant surveys and data are detailed in Chapter 10 Fish and Shellfish Ecology (APP-065). The Project assessment has considered the effects on commercial fish stocks (see Chapter 10 Fish and Shellfish Ecology (APP-065)).</p> <p>Consultation with representatives of the fishing industry has commenced and is ongoing and a company Fisheries Liaison Officer has been in post since 2021, actively identifying and regularly engaging with fisheries active in the Project area and making regular visits to local fishing ports.</p> <p>Engagement relating to commercial fisheries is summarised in Section 14.3 of Chapter 14 Commercial Fisheries (APP-069).</p>
	2.8.159	Applicants should consider guidance on best practice for fisheries liaison, which has been jointly agreed by the renewables industry and fishing community	The Applicant has taken account of relevant guidance as outlined in section 14.2 of Chapter 14 Commercial Fisheries (APP-069)
	2.8.160	In some circumstances, transboundary issues may be a consideration as fishing vessels from other coastal states may fish in waters within which offshore wind farms are sited. Applicants should seek advice from Defra in such circumstances.	Transboundary commercial fisheries issues are assessed within Section 14.10 Chapter 14 Commercial Fisheries (APP-069). The potential transboundary impact of constraints on foreign commercial fishing activities is concluded to be of minor significance and is therefore considered to be not significant in EIA terms.
	EN-3 2.8.161 – 2.8.164	<p>The declaration of a safety zone excludes or restricts activities within the defined sea areas including commercial fishing.</p> <p>Where there is a possibility that safety zones will be sought, applicant assessments should include potential effects on commercial fishing.</p>	<p>Internationally recognised sea lanes and other identified routes are considered a key element of the shipping and navigation Baseline and have been considered wherever “interference may be caused” including through vessel displacement, port access, collision risk and allision risk in the impact assessment within Chapter 15: Shipping and Navigation (APP-070).</p> <p>The Applicant will apply for safety zones post-consent. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as</p>

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		Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the Maritime and Coastguard Agency (MCA as part of this process.	described in both the maximum design scenario and embedded mitigation measures presented in Section 14.5 of Chapter 15: Shipping and Navigation (APP-070). The chapter concludes that there are no significant impacts from the implementation of safety zones.
Marine historic environment	EN-3 2.8.165 – 2.8.166	Heritage assets and other remains of past human activity may exist offshore and within the Intertidal area (the area between mean high and mean low water). This can include evidence of pre-historic human activity and submerged prehistoric landscapes which existed prior to sea level rises, as well as maritime wreck sites, remains of crashed aircraft and associated cultural material.	Chapter 13 Marine and Intertidal Archaeology (APP-068) assesses the potential impact of the Project on offshore archaeology and cultural heritage receptors. Impacts assessed in the chapter include sediment removal containing undisturbed archaeological contexts, changes to the historic seascape character and disturbances to sediment.  The assessment of the historic environment has been informed by consultations with Historic England and other stakeholders throughout the development are outlined in .  Potential beneficial effects on marine archaeological and cultural heritage receptors as a result of the Project activities are discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068) and will ensure data and information collected is assessed for archaeological potential and significance and reported, which will enhance understanding by gathering, researching and presenting new information and will lead to a publication.
	EN-3 2.8.167	The marine historic environment can be affected by offshore wind farm and offshore transmission development in two principal ways: <ul style="list-style-type: none"> <li>▪ from direct effects arising from of the physical siting of the development itself such as the installation of wind turbine foundations and electricity cables or the siting of plant required during the construction phase of development; and</li> <li>▪ from indirect changes to the physical marine environment (such as scour, coastal erosion or sediment deposition) caused by the proposed infrastructure itself or its construction (see the policy on physical environment at paragraphs 2.8.101 of this NPS).</li> </ul>	Chapter 13 Marine and Intertidal Archaeology (APP-068) concludes that throughout the construction, operation and maintenance and decommissioning phases, the identified direct and indirect impacts on marine and intertidal archaeology are of minor adverse significance, and no significant adverse residual effects are expected, with no additional mitigation measures identified.  As per Section 13.7.3 of Chapter 13 Marine and Intertidal Archaeology (APP-068), mitigation as been applied to avoid impacts at all stages of the Project. This includes an Outline Marine Archaeological Written Scheme of Investigation(WSI) (APP-282)  This mitigation stated above has the potential for beneficial effects on marine archaeological and cultural heritage receptors as a result of the Project activities are discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068) and will ensure data and information collected is assessed for archaeological potential and significance and reported, which will enhance our understanding by gathering, researching and presenting new information and will lead to a publication.
	EN-3 2.8.168	Applicants should consult with the relevant statutory consultees, such as Historic England or Cadw, on the potential impacts on the marine historic environment at an early stage of development during pre-application, taking into account any applicable guidance (e.g., offshore renewables protocol for archaeological discoveries).	Ongoing consultations with Historic England and other stakeholder has informed the undertaking of Chapter 13 Marine and Intertidal Archaeology (APP-068) and accompanying appendices (Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167), Appendix 13.2: Geoarchaeological Phase 1 Report ECC (APP-168), and Appendix 13.3 Geoarchaeological Phase 1 Report Array (APP-169).  A summary of consultation is contained within Section 13.3 of Chapter 13 Marine and Intertidal Archaeology (APP-068), and an overview of the Project consultation process is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and the Consultation Report (APP-032).
	EN-3 2.8.169	Assessment of potential impacts upon the historic environment should be considered as part of the Environmental Impact Assessment process undertaken to inform any application for consent.	Potential impacts on marine archaeological and cultural heritage receptors are discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068). Mitigation to avoid or offset any impacts as a result of the Project is detailed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167).

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	EN-3 2.8.170	Desk based studies to characterise the features of the historic environment that may be affected by a proposed development and assess any likely significant effects should be undertaken by competent archaeological experts.	Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) presents and details the archaeological desk-based assessment (DBA) and the archaeological assessment of geophysical data collected for the Array area. The results are further summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068). The Applicant can confirm that these assessments have been undertaken by competent archaeological experts.
	EN-3 2.8.171	These studies should consider any geotechnical or geophysical surveys that have been undertaken to aid the wind farm and/or offshore transmission design.	Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) presents and details the archaeological DBA and the archaeological assessment of geophysical data collected for the Array area. The results are further summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068).
	EN-3 2.8.172	Whilst it should be possible for a development project to avoid designated heritage assets, the knowledge currently available about the historic environment in the inshore and offshore areas is limited, as much of the seafloor around our coasts and at sea has yet to be mapped or explored fully.	Potential impacts on marine archaeological and cultural heritage receptors are discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068).  Mitigation to avoid or offset any impacts as a result of the Project is detailed in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and Section 13.7.3 of Chapter 13 Marine and Intertidal Archaeology (APP-068).
	EN-3 2.8.173	Applicants are required to determine how any known heritage assets might best be avoided.	AEZs as per Chapter 13 Marine and Intertidal Archaeology (APP-068) have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data. The embedded mitigations are further detailed Chapter 13 Marine and Intertidal Archaeology (APP-068).  Mitigation includes Archaeological Exclusion Zones (AEZ), which refer to buffers around Historic Environment receptors that are to be avoided during construction works. This is alongside the commitment to further investigation of the area of impacts ensuring that unknown Historic Environment receptors are located, and impact mitigated will ensure preservation in situ. This will be secured within a post-construction monitoring plan which is contained within the Outline Marine Archaeological WSI (APP-282).
	EN-3 2.8.174	The applicant will be expected to conduct all necessary examination and assessment exercises using a variety of survey techniques to plan the development so as to optimise opportunities for avoidance	Appendix 13.1 (APP-167) presents and details the archaeological DBA and the archaeological assessment of geophysical data collected for the Array area. The results are further summarised in Chapter 13 Marine and Intertidal Archaeology (APP-068).
	EN-3 2.8.175	Once a site has been chosen, it may be necessary to undertake further archaeological assessment, including field evaluation investigations prior to construction, to understand a known site's significance and full extent, and, to identify as yet unknown heritage assets when considering the options for detailed site development, in accordance with an archaeological written scheme of investigation included with the application.	Embedded mitigations relevant to marine archaeological and cultural heritage receptors are set out in Chapter 13 Marine and Intertidal Archaeology (APP-068) and detail how data will be collected and assessed to ensure that as yet undiscovered marine archaeological and cultural heritage receptors are identified throughout the life of the Project.  Future works will be clearly outlined in the relevant Method Statements produced ahead of any archaeological works and following agreement with Historic England and relevant stakeholders (see APP-282 and APP-283).  The embedded mitigations are expected to be reflected in the DCO requirements or dML conditions.
	EN-3 2.8.176	Assessment may also include the identification of any beneficial effects on the marine historic environment, for example through improved access or the contribution to new knowledge that arises from investigation.	Potential beneficial effects on marine archaeological and cultural heritage receptors as a result of the Project activities are discussed in Chapter 13 Marine and Intertidal Archaeology (APP-068) and will ensure data and information collected is assessed for archaeological potential and significance and reported, which will enhance our

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			understanding by gathering, researching and presenting new information and will lead to a publication.
	EN-3 2.8.177	Where elements of a proposed project (whether offshore or onshore) may interact with historic environment features that are located onshore, applicants should assess the effects in accordance with Section 5.9 in EN-1.	The onshore and offshore archaeological resources have been cross-referenced and technical reports have been shared between archaeological contractors. Relevant sections of 5.9 from EN-1 are included in this table. . Relevant sections of 5.9 from EN-1 are included within Table 13.1 of Chapter 13 Marine and Intertidal Archaeology (APP-068) and further summarised in Table 6-30 within the Planning Statement (APP-297).
Offshore wind impacts: navigation and shipping	EN-3 2.8.178 – 2.8.179	Offshore wind farms and offshore transmission will occupy an area of the sea or seabed. For offshore wind farms in particular it is inevitable that there will be an impact on navigation in and around the area of the site. This is relevant to both commercial and recreational users of the sea who may be affected by disruption or economic loss because of the proposed offshore wind farm and/or offshore transmission.  To ensure safety of shipping applicants should reduce risks to navigational safety to As Low As Reasonably Practicable (ALARP), as described in Section 2.8.321.	Chapter 15: Shipping and Navigation (APP-070) presents the results of the assessment of the potential impacts of the Project on with respect to shipping and navigation during the construction, Operations and Maintenance and decommissioning phases.  The IMO Formal Safety Assessment (FSA) methodology (IMO, 2018) has been applied for assessing effects on shipping and navigation receptors including application of the As Low As Reasonably Practicable (ALARP) principle to ensure risks are within tolerable levels. The methodology for assessment is provided in Chapter 15 Shipping and Navigation (APP-070).
	EN-3 2.8.180 – 2.8.183	There is a public right of navigation over navigable tidal waters and in International Law, foreign vessels have the right of innocent passage through the UK's territorial waters.  Beyond the seaward limit of the territorial sea, shipping has the freedom of navigation although offshore infrastructure and the imposition of safety zones can hinder this.  Impacts on navigation can arise from the wind farm or other infrastructure and equipment creating a physical barrier during construction and operation.  There may be some situations where reorganisation of shipping traffic activity might be both possible and desirable when considered against the benefits of the wind farm and/or offshore transmission application and such circumstances should be discussed with the Government officials, including Secretary of State and Maritime and Coastguard Agency (MCA, and other stakeholders, including Trinity House, as The General Lighthouse Authority consultee, and the commercial shipping sector. It should be recognised that alterations might require national endorsement and international agreement and that the negotiations involved may take considerable time and do not have a guaranteed outcome.	Effects on marine recreation are considered in Chapter 29 Socio-Economic Characteristics (APP-084).  Volume 3, Appendix 15.1 Navigational Risk Assessment (NRA) (APP-171) supports the application and has been subject to consultation.  Overall, it is considered that there will be no significant effects upon Shipping and Navigation receptors.
	EN-3 2.8.184 – 2.8.185	Applicants should engage with interested parties in the navigation sector early in the pre-application phase of the proposed offshore wind farm or offshore transmission to help identify mitigation measures, to reduce navigational risk to ALARP, to facilitate proposed offshore wind development. This includes the MMO or NRW in Wales, MCA, the relevant General Lighthouse Authority, such as Trinity House, the relevant industry bodies (both national and local) and any representatives of recreational users of the sea, such as the Royal Yachting Association (RYA), who may be affected. This should continue throughout the life of the development including during the construction, operation, and decommissioning phases.  Engagement should seek solutions that allow offshore wind farms, offshore transmission and navigation and shipping users of the sea to successfully co-exist.	Chapter 15: Shipping and Navigation (APP-070) presents the results of the assessment of the potential impacts of the Project on shipping and navigation during the construction, Operations and Maintenance and decommissioning phases.  As outlined in the chapter, engagement with relevant stakeholders has been a key input into the shipping and navigation baseline and impact assessment (see section 15.2 of Chapter 15: Shipping and Navigation (APP-070)) with a view to ensuring suitable mitigations are implemented in agreement with stakeholders.  Stakeholders engaged include MCA, Trinity House, RYA, and MMO. For further details regarding consultation, see the Project's Technical Consultation (APP-061) and wider consultation within the Consultation Report (APP-032).
	EN-3 2.8.186	The presence of the wind turbines can also have impacts on communication and shipborne and shore-based radar systems. See section 5.5 in EN-1 for further guidance.	Impacts on navigation, communications and position fixing equipment has been assessed in Appendix 15.1: Navigational Risk Assessment (APP-171).

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			In addition, marine radar interference is discussed within Section 14.7 and an illustration of potential Radar interference is contained within Figure 14-4 of in Appendix 15.1: Navigational Risk Assessment (APP-171).
	EN-3 2.8.187 – 2.8.188	Prior to undertaking assessments applicants should consider information on internationally recognised sea lanes, which is publicly available. Applicants should refer in assessments to any relevant, publicly available data available on the Maritime Database.	The main data sources used to inform the existing environment relative to ODOW are outlined in Table 15.2 of Chapter 15: Shipping and Navigation (APP-070)). Internationally recognised sea lanes, other identified routes and navigational features such as IMO routing measures are considered a key element of the shipping and navigation Baseline. It is noted that no IMO routing measures are in proximity to the Array area. The methodology for Baseline data gathering and Baseline conditions are outlined in Chapter 15 Shipping and Navigation (APP-070).
	EN-3 28.189 – 2.8.190	Applicants should undertake a Navigational Risk Assessment (NRA) in accordance with relevant government guidance prepared in consultation with the MCA and the other navigation stakeholders listed above. The navigation risk assessment will for example necessitate: a survey of vessel traffic in the vicinity of the proposed wind farm; a full NRA of the likely impact of the wind farm on navigation in the immediate area of the wind farm in accordance with the relevant marine guidance; and cumulative and in-combination risks associated with the development and other developments (including other wind farms) in the same area of sea.	The NRA is considered a key input to the shipping and navigation impact assessment including compliance with MCA guidance documents. The NRA is provided in, Appendix 15.1: Navigational Risk Assessment (APP-171) and its methodology was agreed during consultation with the MCA and Trinity House (see Chapter 15 Shipping and Navigation (APP-070)).  The Navigational Risk Assessment includes: <ul style="list-style-type: none"> <li>▪ Outline of methodology applied in the NRA;</li> <li>▪ Summary of consultation undertaken with shipping and navigation stakeholders to date</li> <li>▪ Lessons learnt from previous offshore windfarm (OWF) developments;</li> <li>▪ Summary of the project description relevant to shipping and navigation;</li> <li>▪ Baseline characterisation of the existing environment;</li> <li>▪ Discussion of potential impacts on navigation, communication and position fixing equipment;</li> <li>▪ Cumulative and transboundary overview;</li> <li>▪ Vessel to vessel collision modelling;</li> <li>▪ Assessment of navigational risk (following the Formal Safety Assessment (FSA) process);</li> <li>▪ Outline of embedded mitigation measures; and</li> <li>▪ Completion of MGN 654 Checklist</li> </ul> The shipping and navigation baseline and risk assessment has been undertaken based upon the information available and responses received at the time of preparation, including the Maximum Design Scenarios as discussed above. Overall, no significant impacts have been concluded.
	EN-3 2.8.191 - 2.8.193	In some circumstances, applicants may seek declaration of a safety zone around wind turbines and other infrastructure. Although these might not be applied until after consent to the wind farm has been granted.  The declaration of a safety zone excludes or restricts activities within the defined sea areas including navigation and shipping.  Where there is a possibility that safety zones will be sought applicant assessments should include potential effects on navigation and shipping.	A Safety Zone Statement (APP-300) supports the DCO application. This safety zone assessment has been prepared in accordance with Regulation 6(1)(b)(ii) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations) which requires the applicant for a DCO for the construction of an offshore generating station to provide a statement as to whether applications will be made for safety zones.  The Applicant will apply for safety zones post-consent. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as described

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			<p>in both the MDS and embedded environmental measures presented in Chapter 14 Commercial Fisheries (APP-069).</p> <p>The need for safety zones has been considered by the NRA completed for the Project. The risk assessment results have been taken into account within the commercial fisheries assessment. Consultation has also been undertaken with the MCA (see Chapter 15 Shipping and Navigation (APP-070)).</p>
	EN-3 2.8.194	Where the precise extents of potential safety zones are unknown, a realistic worst-case scenario should be assessed. Applicants should consult the MCA for advice on maritime safety and refer to the government guidance on safety zones as a part of this process.	<p>A Safety Zone Statement (APP-300) supports the DCO application. This safety zone assessment has been prepared in accordance with Regulation 6(1)(b)(ii) of the Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (the APFP Regulations) which requires the applicant for a DCO for the construction of an offshore generating station to provide a statement as to whether applications will be made for safety zones.</p> <p>The Applicant will apply for safety zones post-consent. Safety zones of up to 500m will be sought during construction, maintenance and decommissioning phases, as described in both the MDS and embedded environmental measures presented in Chapter 14 Commercial Fisheries (APP-069).</p>
	EN-3 2.8.195	Applicants should undertake a detailed Navigational Risk Assessment, which includes Search and Rescue Response Assessment and emergency response assessment prior to applying for consent. The specific Search and Rescue requirements will then be discussed and agreed post-consent..	<p>The NRA is considered a key input to the shipping and navigation impact assessment including compliance with MCA guidance documents. The NRA is provided in Appendix 15.1: Navigational Risk Assessment (APP-171) and its methodology was agreed during consultation with the MCA and Trinity House (see Chapter 15 Shipping and Navigation (APP-070)).</p> <p>The final layout will be agreed with the MCA and Trinity House post consent. Necessary SAR mitigations will be agreed with the MCA via the SAR Checklist process (see section 18 of Appendix 15.1: Navigational Risk Assessment (APP-171)).</p>
Other offshore infrastructure and activities	EN-3 2.8.196 – 2.8.198	<p>The scale and location of future offshore wind development around England and Wales means that development has occurred, and will continue to occur, in or close to areas where there is other offshore infrastructure.</p> <p>Where a potential offshore wind farm is proposed close to existing operational offshore infrastructure or has the potential to affect activities for which a licence has been issued by government, The Applicant should undertake an assessment of the potential effects of the proposed development on such existing or permitted infrastructure or activities.</p> <p>The assessment should be undertaken for all stages of the lifespan of the proposed wind farm in accordance with the appropriate policy and guidance for offshore wind farm EIAs.</p>	<p>Other offshore infrastructure that has been considered as part of the DCO Application is assessed within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 16: Aviation, Radar and Military Communication (APP-071);</li> <li>▪ Chapter 18 Marine Infrastructure and Other Users (APP-073); and</li> <li>▪ Chapter 29 Socio-Economic Characteristics (APP-084).</li> </ul> <p>The Assessments have considered effects during construction, operation and decommissioning. Each Chapter listed above also includes a discussion as to how it has complied with all relevant policy. This includes the Government’s Marine Plans have been considered within the establishment of the Baseline environment and are discussed in more detail within the ‘other policy considerations’ section for this topic.</p> <p>Overall, it is considered that there will be no significant effects upon Infrastructure and Other Marine Users receptors.</p>
	EN-3 2.8.199	Applicants should use marine plans (paragraph 2.8.7 of this NPS and Section 4.5 of EN-1) in considering which activities may be most affected by their proposal and thus where to target their assessment.	<p>Other offshore infrastructure that has been considered as part of the DCO Application is assessed within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ Chapter 16: Aviation, Radar and Military Communication (APP-071);</li> <li>▪ Chapter 18 Marine Infrastructure and Other Users (APP-073); and</li> <li>▪ Chapter 29 Socio-Economic Characteristics (APP-084).</li> </ul> <p>Each chapter includes a section to explain how it has complied with Marine Plans. No conflicts have been identified.</p>
	EN-3 2.8.200- 2.8.203	<p>Applicants should engage with interested parties in the potentially affected offshore sectors early in the pre-application phase of the proposed offshore wind farm, with an aim to resolve as many issues as possible prior to the submission of an application. (see paragraphs 2.8.55 and 2.8.263 of this NPS for further guidance).</p> <p>Such stakeholder engagement should continue throughout the life of the development including construction, operation, and decommissioning phases where necessary.</p> <p>As many offshore industries are regulated by government, the relevant Secretary of State should also be a consultee where necessary.</p> <p>Such engagement should be taken to ensure that solutions are sought that allow offshore wind farms and other uses of the sea to successfully co-exist.</p>	<p>The Applicant has carried out consultation before submitting the DCO Application. The groups of people consulted include the communities and businesses in the vicinity of a project, people with an interest in the land potentially directly affected by the proposals, and statutory and other prescribed consultees. This has included MCA, Trinity House, RYA, and MMO. The Applicant has actively sought feedback through via Scoping, the PEIR, Section 42 and 47 consultations and through informal land interest engagement, respectively. More information is contained in the Consultation Report (APP-032), with further information on the Project consultation process in Chapter 6 Technical Consultation (APP-061). The results of these consultations and the ongoing engagement has fed into the development of the final proposals.</p> <p>Each chapter below contains a summary of consultation and explains how this has been addressed:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 16: Aviation, Radar and Military Communication (APP-071);</li> <li>▪ Chapter 18 Marine Infrastructure and Other Users (APP-073); and</li> <li>▪ Chapter 29 Socio-Economic Characteristics (APP-084).</li> </ul>
Seascape and Visual Effects	EN-3 2.8.204 - 2.8.207	<p>Applicants should address impact on seascape in addition to the landscape and visual effects discussed in Section 5.10 of EN-1.</p> <p>Seascape is an additional issue for consideration given that it is an important environmental, cultural, and economic asset. This is especially so where seascape provides the setting for a nationally designated landscape (National Park, The Broads or AONB) and supports the delivery of the designated area’s statutory purpose. This is also an important consideration for stretches of coastline identified as Heritage Coasts, which are associated with a largely undeveloped coastal character.</p> <p>Seascape is a discrete area, with views of the coast or seas, and coasts and the adjacent marine environment with cultural, historical, and archaeological links with each other.</p> <p>Applicants should follow relevant guidance including, but not limited to seascape character assessments, landscape sensitivity assessments, and marine plan seascape character assessments (e.g., NRW Marine Character Areas (with associated guidance) England’s marine plans)</p>	<p>The effect of the Project on seascape character is assessed in Chapter 17 Seascape, Landscape and Visual (APP-072). The definitions of seascape have been more recently defined in Seascape Character Assessment guidance published by NE (NE, 2012).</p> <p>The SLVIA is supported by Appendix 17.1 SLVIA Methodology (APP-174) which setting out the full methodology for the SLVIA.</p> <p>The SLVIA is based on a realistic worst-case scenario in line with Chapter 3: Project Description (APP-058) of the ES which provides detail on the design envelope approach being taken by the project.</p> <p>The Project has the potential to have adverse effects on the Lincolnshire Wolds AONB and the Norfolk Coast AONB, which are considered in the baseline and assessment within Sections 17.4 and 17.7 of Chapter 17: Seascape, Landscape and Visual (APP-072) respectively. Regard has been had to the purpose of conserving and enhancing the natural beauty of these AONBs through the siting and design of the Project.</p>
	EN-3 2.8.208	<p>Where a proposed offshore wind farm will be visible from the shore and would be within the setting of a nationally designated landscape with potential effects on the area’s statutory purpose, a seascape, landscape, and visual impact assessment (SLVIA) should be undertaken in accordance with the relevant offshore wind farm EIA policy and the latest Offshore Energy SEA, including the White 2020 report. The SLVIA should be proportionate to the scale of the potential impacts. This</p>	<p>The visibility of the Project from the shore and impacts on seascape are addressed in Chapter 17 Seascape, Landscape and Visual (APP-072). The scope of the SLVIA assessment, MDSs, and preferred boundary for assessment was determined in consultation with the SLVIA technical group as part of the EPP. This assessment has been undertaken in accordance with the relevant offshore wind farm EIA policy and the latest Offshore Energy SEA, including the White 2020 report.</p>

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		will always be the case where a coastal National Park, the Broads or AONB, or a Heritage Coast or their setting is potentially affected.	The effect of the Project on statutory landscape designations such as AONBs and conservation areas more broadly is assessed in Chapter 17 Seascape, Landscape and Visual (APP-072).
	EN-3 2.8.209	Where necessary, assessment of the seascape should include an assessment of four principal considerations on the likely effect of offshore wind farms on the coast: <ul style="list-style-type: none"> <li>the limit of visual perception from the coast under poor, good, and best lightening conditions;</li> <li>the effects of navigation and hazard prevention lighting on dark night skies;</li> <li>individual landscape and visual characteristics of the coast and the special qualities of designated landscapes, such as World Heritage Sites, which limits the coasts capacity to absorb a development; and</li> <li>how people perceive and interact with the coast and natural seascape.</li> </ul>	Chapter 17 Seascape, Landscape and Visual (APP-072) considers principal visual receptors in the study area are found along the closest sections of coastlines at Spurn Head in East Riding of Yorkshire, the East Lincolnshire coast between Donna Nook and Skegness and from the North Norfolk coast between Scolt Head and Sheringham. Visual receptors include people within settlements, driving on roads, visitors to tourist facilities or historic environment assets, and people engaged in recreational activity such as those using walking and cycle routes.  effect of the Project on seascape character, including the four principal considerations outlined in this paragraph, assessed in Chapter 17 Seascape, Landscape and Visual (APP-072).
	EN-3 2.8.210	As part of the SLVIA, photomontages will be required. Viewpoints to be used for the SLVIA should be selected in consultation with the statutory consultees at the EIA Scoping stage.	Photomontages and wirelines of the Project are provided in Volume 2.
	EN-3 2.8.211	Applicants should assess the magnitude and significance of change to both the identified seascape receptors (such as seascape and landscape units, visual receptors, and the special qualities of designated landscapes) in accordance with the standard methodology for SLVIA.	The methodology for the assessment of magnitude of change to seascape receptors, designated landscapes and visual receptors is set out in Chapter 17 Seascape, Landscape and Visual (APP-072).  The requirement for fish and shellfish monitoring has been considered within the impact assessments in Chapter 10 Fish and Shellfish Ecology (APP-065). In summary, no fish and shellfish monitoring for the construction, O&M or decommissioning phases of the Project is considered necessary at this stage.
	EN-3 2.8.212	Where appropriate, cumulative SLVIA should be undertaken in accordance with the policy on cumulative assessment outlined in Section 5.10.16 - 17 of EN-1.	The methodology for the assessment of magnitude of change to seascape receptors, designated landscapes and visual receptors is set out in Chapter 17 Seascape, Landscape and Visual (APP-072). Section 9 of the chapter considers cumulative effects in conjunction with other relevant existing and proposed developments and includes relevant pre-application stage developments.
Mitigation	EN-3 2.8.213 - 2.8.214	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 SACs SPAs, and Ramsar sites and/or MCZs. It is essential that applicants involve SNCBs, other statutory environmental bodies (e.g. Historic England) and Defra, in conjunction with the relevant regulators, as early as possible in the planning process to enable discussions of what is and isn't a significant and/or adverse effect, subsequent implications, and if required, mitigation and/or compensation.  At the earliest possible stage alternative ways of working and use of technology should be employed to avoid environmental impacts. For example, construction vessels may be rerouted to avoid disturbing seabirds. Where impacts cannot be avoided, measures to reduce and mitigate impacts should be employed, for example using trenching techniques or noise abatement technology.	In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design through consultation and the mitigation hierarchy has been applied across the ES. The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO).  The Site Selection process has also been iterative and has been developed in situ with several good design principles including: <ul style="list-style-type: none"> <li>A preference for the shortest route for cable routing to reduce environmental and social impacts by minimising footprint for the offshore and onshore ECCs, as well as minimising cost (ultimately reducing the cost of energy to the consumer) and minimising transmission losses;</li> <li>Avoidance, wherever feasible, of key sensitive features and where not feasible, seeking to mitigate any resulting impacts;</li> <li>Minimising the disruption to populated areas; and</li> </ul>

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			<ul style="list-style-type: none"> <li>▪ The need to accommodate the Maximum Design Scenario (MDS) for each of the Project elements.</li> </ul> <p>Consultation has been a key part of the DCO process and engagement has been made with statutory bodies through:</p> <ul style="list-style-type: none"> <li>▪ The Evidence Plan Process (EPP) including Expert Technical Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (including Phase 2 Consultation, Autumn Consultation and Targeted Winter Consultation).</li> </ul> <p>An overview of the Project consultation process outlined above is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and the Consultation Report (APP-032).</p> <p>With regards to impacts on seabirds as referenced in Paragraph 2.8.214 of EN-3, Chapter 12: Offshore and Intertidal Ornithology (APP-067) sets out several mitigation measures including:</p> <ul style="list-style-type: none"> <li>▪ Where possible, minimising vessel traffic during the most sensitive time in October to March;</li> <li>▪ Where possible, restricting vessel movement to existing navigation routes;</li> <li>▪ Where possible, maintaining direct transit routes, minimising transit distances through areas used by key species;</li> <li>▪ Avoidance of rafting birds when necessary to go outside of navigational routes, and where possible avoid disturbance to areas with consistently high diver density;</li> <li>▪ Avoidance of over-revving engines to minimise noise disturbance; and</li> <li>▪ Briefing of vessel crew on the purpose and implications of these vessel management practices.</li> </ul>
	EN-3 2.8.215 – 2.8.216	<p>Applicants should undertake a review of up-to-date research and all potential avoidance, reduction and mitigation options presented for all receptors.</p> <p>Only once all feasible alternatives and mitigation measures have been employed, should applicants explore possible compensatory measures to compensate for any remaining significant adverse effects to site integrity.</p>	<p>The Applicant has considered adverse impacts through the HRA process. Designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter. Overall, the RIAA (APP-235) concludes that the Project would not undermine any of the conservation objectives for the designated sites and features. The Applicant has engaged with Natural England for any compensation measures and has submitted a ‘without prejudice’ (Article 6(4)) derogation case (APP-242) for both ornithology and benthic features.</p> <p>Further information on the assessment of AEoI can be found in the RIAA. As set out in Section 1.2 of the derogation case and the RIAA, the Applicant cannot rule out an in-combination adverse effect on the kittiwake feature of the Flamborough and Filey Coast SPA during the O&amp;M phase of the Project but maintains that there will be no AEoI on the other sites and features, for which the derogation case is being set out on a “without prejudice” basis only.</p>

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			<p>In line with the HRA regulations, should the competent authority reach a consultation of AEol on any of the ecological features identified with the submitted HRA documents (RIAA and derogation case), the mitigation measures listed below are considered sufficient to ensure the coherence of the National Site Network:</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ TCE Kittiwake Strategic Compensation Plan (APP-260); and</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul>
	EN-3 2.8.217	Where several developers are likely to have Cumulative impacts on the same species or feature it may be appropriate to collaborate on mitigation and compensation measures. (see paragraphs 2.8.273 below for further guidance on compensation).	<p>As per the RIAA (APP-235), no cumulative impacts have been identified within the following chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 11: Marine Mammals (APP-066); and</li> <li>▪ Chapter 21: Onshore Ecology (APP-076).</li> </ul> <p>In terms of opportunities for shared mitigation, the offshore aspect of ODOW is participating in the Crown Estate’s Strategic Compensation Programme for Kittiwake and the applicant is collaborating with other parties to develop compensation for Benthic Habitats. Regarding ODOWs onshore aspect, the applicant is working collaboratively with the RSPB and Local Wildlife Trusts to explore opportunities for future habitat enhancement. For a full outlined of mitigation refer to The Schedule of Mitigation (APP-287) which lists all measures proposed on a topic-by-topic basis.</p>
Biological and ecological conservation	EN-3 2.8.218 - 2.8.220	<p>Mitigation will be possible in the form of careful design of the development itself and the construction techniques employed.</p> <p>General mitigation requirements and considerations are set out in Section 5.4 of EN-1.</p> <p>See paragraphs 2.8.103 and 2.8.288 of this NPS for further guidance on Offshore Wind Environmental Standards to enable developments to mitigate their impacts on the marine environment.</p>	<p>Section 5.4 of EN-1 has been followed by the Applicant through the application of the mitigation hierarchy. The Applicant has followed the mitigation hierarchy across all biological and ecological chapters and the and HRA and has aimed to avoid adverse impacts through consideration of reasonable alternatives.</p> <p>In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design. The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the Development Consent Order (DCO).</p> <p>Consideration of mitigation during the assessment, where considered appropriate and where effects associated with the Project may be considered significant in the absence of mitigation are set out in Chapter 9 Benthic and Intertidal Ecology (APP-064)</p> <p>Embedded mitigation measures relevant to onshore ecology are provided in Section 21.7 of Chapter 21: Onshore Ecology (APP-076).</p> <p>Embedded mitigation relevant to the fish and shellfish ecology chapter is detailed in Chapter 10 Fish and Shellfish Ecology (APP-065)..</p> <p>Embedded mitigation relevant for marine mammals to be adopted as part of the Project have been detailed in section 11.5 of Chapter 11: Marine Mammals (APP-066).</p>

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	EN-3 2.8.221 – 2.8.223	<p>Applicants must develop an ecological monitoring programme to monitor impacts during the pre-construction, construction, and operational phases to identify the actual impacts caused by the Project and compare them to what was predicted in the EIA/HRA.</p> <p>Should impacts be greater than those predicted, an adaptive management process may need to be implemented and additional mitigation required, to ensure that so far as possible the effects are brought back within the range of those predicted.</p> <p>Monitoring should be of sufficient standard to inform future decision-making. Increasing the understanding of the efficacy of alternatives and mitigation will deliver greater certainty on applicant requirements.</p>	<p>The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the Development Consent Order (DCO).</p> <p>An In-Principal Monitoring Plan (APP-276) has been submitted alongside the Project which provides details of the proposed monitoring for the Project. The document provides the basis for delivering the monitoring measures required by the conditions of the deemed Marine Licences (dMLs) contained within the DCO.</p> <p>The document also provides a framework for discussions with the Marine Management Organisation (MMO) and the relevant Statutory Nature Conservation Bodies (SNCBs) to agree the exact detail (timings, methodologies etc.) of the monitoring proposed post consent. The monitoring plan to be submitted to the Marine Management Organisation (MMO) for approval post consent must accord with this IPMP.</p> <p>Due to the long lead in time for the development of offshore wind projects, it is not desirable or effective to provide final detailed method statements prior to consent. However, agreeing guiding principles reinforces commitments made in the Environmental Statement (ES) and complements other requirements set out in the dMLs and will allow refinements to be made based on the best available knowledge and technology. Final detailed plans for monitoring work will be produced post consent closer to the time that the actual work will be undertaken, in line with the conditions proposed within the dMLs.</p> <p>This plan puts forward outline proposals for monitoring for the following relevant topics which have been assessed across the ES:</p> <ul style="list-style-type: none"> <li>▪ Marine Processes (APP-062)</li> <li>▪ Marine Water and Sediment Quality (APP-063)</li> <li>▪ Benthic Subtidal and Intertidal Ecology (APP-064)</li> <li>▪ Fish and Shellfish Ecology (APP-065)</li> <li>▪ Marine Mammals (APP-066)</li> <li>▪ Offshore and Intertidal Ornithology (APP-067)</li> <li>▪ Marine and Intertidal Archaeology (APP-068)</li> <li>▪ Commercial Fisheries (APP-069)</li> <li>▪ Shipping and Navigation (APP-070)</li> </ul> <p>Embedded mitigation is outlined within Chapter 9 Benthic and Intertidal Ecology (APP-064).</p> <p>Benthic monitoring will be undertaken at pre-construction phases of the Project in order to determine the location, extent and composition of any habitats of principal importance or Annex 1 habitat. In the event that habitats of principal importance or Annex 1 habitat are identified in the pre-construction survey; post-construction monitoring will also be carried out with focus on these identified habitats.</p>
Physical Environment	EN-3	Applicants are expected to have considered the best ecological outcomes in terms of potential mitigation. These might include:	The Applicant through the application of the mitigation hierarchy. The Applicant has followed the mitigation hierarchy across all biological and ecological chapters and the

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	2.8.224 – 2.8.225	<ul style="list-style-type: none"> <li>▪ avoidance of areas sensitive to physical effects;</li> <li>▪ consideration of micro-siting of both the array and cables;</li> <li>▪ alignment and density of the array;</li> <li>▪ design of foundations;</li> <li>▪ ensuring that sediment moved is retained as locally as possible;</li> <li>▪ the burying of cables to a necessary depth;</li> <li>▪ using scour protection techniques around offshore structures to prevent scour effects or designing turbines to withstand scour, so scour protection is not required or is minimised.</li> <li>▪ Applicants should consult the statutory consultees on appropriate mitigation and monitoring.</li> </ul>	<p>and HRA and has aimed to avoid adverse impacts through consideration of reasonable alternatives.</p> <p>In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design through consultation. The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO).</p> <p>Embedded mitigation relating to cable burial and scour are set out in Appendix 3.1: Cable Burial Risk Assessment (APP-142) (subject to this requirement being a condition of a Marine Licence). Use of scour protection and methods of cable protection are set out in the Project Description as assessed throughout the Chapter 3 Project Description (APP-058). Consultation has been undertaken through the scoping process and with statutory consultees and other interested parties via the EPP and bilateral monthly meetings.</p>
Intertidal and coastal habitats and species	EN-3 2.8.226 – 2.8.230	<p>Effects on Intertidal/coastal habitat cannot be avoided entirely.</p> <p>Landfall and cable installation and decommissioning methods should be designed appropriately to minimise effects on Intertidal/coastal habitats, taking into account other constraints.</p> <p>Where applicable, use of horizontal directional drilling techniques (HDD) should be considered as a method to avoid impacts on sensitive habitats and species.</p> <p>Where HDD is proposed, the Applicant should provide a mitigation plan to account for the possibility that HDD fails.</p> <p>The Applicant should explain their justification for the alternative plan and ensure this is the least impactful method possible.</p>	<p>The techniques used to carry out the Landfall works will be trenchless techniques (such as HDD, micro-tunnelling or auger boring).</p> <p>A Cable Burial Risk Assessment and Cable Specification and Installation Plan are submitted as part of the DCO application. Appendix 3.1: Cable Burial Risk Assessment (APP-142) provides a mitigation plan to account for the possibility that HDD fails.</p> <p>Geotechnical investigations form part of the above assessments and this enables the design of appropriate construction techniques to minimise any adverse effects.</p> <p>Site specific geophysical and preliminary geotechnical data has informed the assessment and project design of the Project. Details are provided in Chapter 7 Marine Physical Processes (APP-062).</p>
	EN-3 2.8.231 – 2.8.232	<p>Where cumulative effects on Intertidal habitats are predicted as a result of the Cumulative impact of multiple cable routes, applicants of various schemes are encouraged to work together to ensure that the number of cables crossing the Intertidal/coastal zone are minimised and installation and decommissioning phases are coordinated to ensure that disturbance is also reasonably minimised.</p> <p>It is expected that a more co-ordinated approach to offshore-onshore transmission will be delivered. See paragraphs 2.8.24 of this NPS.</p>	<p>The Applicant has considered potential and viable coordinated offshore connections and how consenting could be approached making the most use of the information in this current application, including all of the environmental assessment undertaken in support of the application. This was considered during the HND process, in which the Applicant progressed a number of options for the grid connection and associated cable route and substation sites, aligned with the options that were developed and evaluated by the HND, in order to ensure the development could progress, as far as possible. However, as stated within Chapter 4: Site Selection and Consideration of Alternatives (APP-059), Ofgem in March 2022, confirmed that there are no opportunities for a coordinated approach.</p> <p>Notwithstanding the above, Chapter 9: Benthic and Intertidal Ecology (APP-064) outlines that cumulative impacts on intertidal ecology receptors are predicted to result in a significance of Minor or Negligible post mitigation.</p>
Subtidal habitats and species	EN-3 2.8.233 -	Applicants should design construction, maintenance, and decommissioning methods appropriately to minimise effects on subtidal habitats, taking into account other constraints.	In most cases, mitigation measures have already been identified and adopted as part of the evolution of the project design through consultation. The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. Measures are grouped

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.8.234- 2.8.236	<p>Mitigation measures which applicants are expected to have considered may include:</p> <ul style="list-style-type: none"> <li>▪ surveying and micrositing of the turbines, designing array layout, or re-routing of the export and Inter-array cables to avoid adverse effects on sensitive/protected habitats, biogenic reefs, or protected species</li> <li>▪ Reducing as much as possible the amount of infrastructure that will cause habitat loss in sensitive/protected habitats</li> <li>▪ burying cables at a sufficient depth, taking into account other constraints, to allow the seabed to recover to its natural state; and</li> <li>▪ the use of anti-fouling paint might be minimised on subtidal surfaces in certain environments, to encourage species colonisation on the structures, unless this is within a soft sediment MPA and thus would allow colonisation by species that would not normally be present.</li> </ul> <p>Where Cumulative impacts on subtidal habitats are predicted as a result of multiple cable routes, applicants for various schemes are encouraged to work together to ensure that the number of cables crossing the subtidal zone is minimised and installation/ decommissioning phases are coordinated to ensure that disturbance is reasonably minimised.</p> <p>It is expected that a more co-ordinated approach to offshore-onshore transmission will be delivered going forward. See paragraphs 2.8.24 of this NPS.</p>	<p>by document relationships and signpost where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO).</p> <p>The Project has been the subject of an iterative site selection and design to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project.</p> <p>The project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. The project as presented is sustainable and both functional as well as well-designed and has maximised its capacity within the technological, environmental, and other constraints of the development. Further design considerations of relevance to the design are set out in The Design Principles Statement (APP-293), Chapter 3: Project Description (APP-058) and Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>No significant residual impacts or cumulative impacts as a result of the Project have been identified on subtidal habitats. This is as a result of the mitigation contained within Section 9.6.3 of Chapter 9: Benthic and Intertidal Ecology (APP-064) which includes:</p> <ul style="list-style-type: none"> <li>▪ Cable Burial Risk Assessment (CBRA) (APP-142) which will inform the preferred option for cable protection and will take account of the presence of designated sites.</li> <li>▪ An Outline Cable Specification and Installation Plan (CSIP), which will be finalised post-consent and will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects, these crossings will be agreed with relevant parties in advance of CSIP submission; and</li> <li>▪ The Project design which considers the need for scour protection and cable protection as well as cable installation methodologies and sand wave clearance/sediment disposal.</li> </ul>
Marine Mammals	EN-3 2.8.237- 2.8.239	<p>Monitoring of the surrounding area before and during the piling procedure can be undertaken by various methods including marine mammal observers and passive acoustic monitoring. Active displacement of marine mammals outside potential injury zones can be undertaken using equipment such as acoustic deterrent devices. Soft start procedures during pile driving may be implemented. This enables marine mammals in the area disturbed by the sound levels to move away from the piling before physical or auditory injury is caused.</p> <p>Where noise impacts cannot be avoided, other mitigation should be considered, including alternative installation methods and noise abatement technology, spatial/temporal restrictions on noisy activities, alternative foundation types.</p> <p>Applicants should undertake a review of up-to-date research and all potential mitigation options presented as part of the application, having consulted the relevant JNCC mitigation guidelines.</p>	<p>Chapter 11 Marine Mammals (APP-066) provide details of the potential impacts of subsea noise and associated mitigation.</p> <p>The mitigation measures for underwater noise are specified in and further detail can be found in the Outline Marine Mammal Mitigation Protocol (Piling) (APP-279) and the Outline Marine Mammal Mitigation Protocol (UXO) (APP-280).</p> <p>The above protocols will be implemented to minimise the risk of auditory injury, i.e. to negligible levels.</p> <p>Embedded mitigation is also outlined within, Chapter 11 Marine Mammals (APP-066). This includes the implementation of a Project Environmental Management Plan (APP-277) which will be used to safeguard the marine environment in the event of accidental pollution occurring as a result of ODOW operations.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Updates to noise abatement recommendations for other projects will be closely monitored and researched and will inform the MMMPs (APP-279 and APP-280) which will be used to minimise the risk of auditory injury, i.e. to negligible level.</p> <p>Further to the above, a SIP (APP-281) has been submitted alongside the DCO application which details the Project’s approach to addressing underwater noise disturbance (APP-283).</p> <p>The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis.</p>
Birds	2.8.240	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.	Proposed lighting is discussed in Chapter 16 Aviation, Radar, Military and Communication (APP-071). The chapter outlines how aviation lighting will be fitted to all structures as appropriate in line with statutory guidance and regulator feedback. The include ANO Article 223, whereby lighting intensity will be reduced at and below the horizontal and further reduced when visibility in all directions from every WTG is more than 5km.
	2.8.241	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).	<p>As outlined in Chapter 12 Offshore and Intertidal Ornithology (APP-067), the minimum air gap has been raised from 22m to 30m at PEIR and has undergone further increase to 40m HAT at ES to reduce the impacts of collision on birds. This will reduce the likelihood of birds colliding with the wind turbine generators. Other relevant mitigation contained within the chapter that will reduce collision risk includes the site selection process which has taken into account the densities of bird species across the array, in particular areas of high density for auks (See Chapter 4: Site Selection and Consideration of Alternatives (APP-059).</p> <p>The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis.</p>
	EN-3 2.8.242	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.	<p>An assessment of the effects of benthic and Intertidal disturbances throughout the whole of the development can be found in Chapter 9 Benthic and Intertidal Ecology (APP-064). The assessments within the chapter for Benthic and Intertidal Ecology have specific reference to construction vessels and anchors and habitat disturbance within the Intertidal zone.</p> <p>In addition, mitigation contained within Chapter 12: Offshore and Intertidal includes best practice protocol that will be utilised during construction, operation and maintenance and decommissioning which in part will avoid rafting when necessary by going outside of navigational routes, and where possible avoid disturbance to areas with consistently high diver density.</p> <p>Further to the above, the mitigation measures contained within Chapter 15: Shipping and Navigation (APP-070) note that the requirement for marine coordination and communication to manage project vessel movement will be secured within the dML conditions.</p>
	EN-3 2.8.244	Currently, shutting down turbines within migration routes during estimated peak migration periods is unlikely to offer suitable mitigation, but this might be a possibility in the future.	This is noted by the Applicant.

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Fish	EN-3 2.8.245 – 2.8.247	<p>EMF in the water column during operation, is in the form of electric and magnetic fields, which are reduced by use of armoured cables for inter-array and Export cables.</p> <p>Burial of the cable increases the physical distance between the maximum EMF intensity and sensitive species. However, what constitutes sufficient depth to reduce impact may depend on the geology of the seabed.</p> <p>It is unknown whether exposure to multiple cables and larger capacity cables may have a Cumulative impact on sensitive species. It is therefore important to monitor EMF emissions which may provide the evidence to inform future EIAs.</p>	<p>The development impacts of EMF on fish and shellfish receptors have been considered in Section 10.6 and Impact 10 within the assessment contained within Chapter 10: Fish and Shellfish Ecology (APP-065). Where possible, cables will be buried but, if not, cable protection will be installed (see Table 10.8 of Chapter 10: Fish and Shellfish Ecology (APP-065). Judgements regarding burial depth will be informed by the CSIP (see the Outline Cable and Specification Installation Plan (APP-278)).</p> <p>Chapter 10: Fish and Shellfish Ecology also concludes that the sensitivity of fish and shellfish receptors to EMF from the project is considered to be low and the magnitude is deemed to be low, resulting in a minor (adverse), which is not significant in EIA terms.</p> <p>Consideration of the indirect disturbance of EMF generated by Inter-array and Export cables and effects on protected species is also considered within Section 9.7 of Chapter 9 Benthic and Intertidal Ecology (APP-064).</p>
	EN-3 2.8.248 – 2.8.249	<p>In the case of floating wind, the cables may hang freely in the water and thus potentially require alternative monitoring and mitigation.</p> <p>Construction of specific elements can also be timed to reduce impacts on spawning or migration. Underwater noise mitigation can also be used to prevent injury and death of fish species.</p>	<p>Spawning periods for relevant species are detailed and considered within Section 10.6 of Chapter 10 Fish and Shellfish Ecology (APP-065) which has been informed by the underwater noise modelling has been undertaken in Section 10.6 of this chapter.</p> <p>The applicant has also prepared an Outline Marine Mammal Mitigation Protocol Piling (APP-279) which will minimize the risk of auditory injury to negligible levels and will be secured within a conditions in the dML.</p>
Commercial fisheries and fishing	EN-3 2.8.250 – 2.8.251	<p>Any mitigation proposals should result from The Applicant having detailed consultation with relevant representatives of the fishing industry, IFCA's, the MMO and the relevant Defra policy team in England and NRW and the relevant Welsh Government policy team in Wales.</p> <p>Mitigation should be designed to enhance where reasonably possible any potential medium and long-term positive benefits to the fishing industry, commercial fish stocks and the marine environment.</p>	<p>A range of commitments are presented within Section 14.5 of Chapter 14 Commercial Fisheries (APP-069).</p> <p>The Applicant is committed to ongoing liaison with fishermen throughout all stages of the Project, based upon FLOWW (2014, 2015) guidance and the following:</p> <ul style="list-style-type: none"> <li>▪ Appointment of a company Fisheries Liaison Officer (FLO) to maintain effective communications between the Project and fishermen (a company FLO is already appointed and active);</li> <li>▪ Appropriate liaison with relevant fishing interests to ensure that they are fully informed of development planning and any offshore activities and works;</li> <li>▪ Timely issue of notifications including Notice to Mariners (NtMs), Kingfisher Bulletin notifications and other navigational warnings to the fishing community to provide advance warning of project activities and associated Safety Zones and advisory safety distances; and</li> <li>▪ Development, prior to construction, of a Fisheries Liaison and Co-existence Plan (FLCP), setting out in detail the planned approach to fisheries liaison and means of delivering any other relevant mitigation measures. A draft of this plan is available in the Outline Biogenic Reef Mitigation Plan (APP-296).</li> </ul> <p>An overview of the Project consultation process is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and the Consultation Report (APP-032).</p>

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Marine historic environment	EN-3 2.8.252 – 2.8.254	<p>The avoidance of important heritage assets to ensure their protection in situ, is the most effective form of protection.</p> <p>This can be achieved through the implementation of exclusion zones around known and potential heritage assets which preclude development activities within their boundaries.</p> <p>These boundaries can be drawn around either discrete sites or more extensive areas identified in the ES produced to support an application for consent.</p>	<p>AEZs as per Chapter 13 Marine and Intertidal Archaeology (APP-068) have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data.</p> <p>All intrusive activities undertaken during the life of the Project will be routed and microsited to avoid any identified Historic Environment receptors pre-construction, with AEZs as detailed in the Marine WSI unless other mitigation is agreed with Historic England. AEZs are buffers around Historic Environment receptors that are to be avoided during construction works. The avoidance of AEZs must also consider that the use of anchors and lines, which could impact upstanding features, are adequately taken into account in the planning of operations.</p> <p>The embedded mitigations are further detailed in Section 13.7.3 of Chapter 13 Marine and Intertidal Archaeology (APP-068).</p> <p>Further to the above an Outline Marine Archaeological WSI (APP-282) has been produced to accompany the ES to outline defined mitigation measures necessary for this stage and further archaeological campaigns for the Project which builds on the Baseline characterisation completed to date for the entire Project.</p>
	EN-3 2.8.255 – 2.8.256	<p>The ability of the applicants to microsite specific elements of the proposed development during the construction phase should be an important consideration by the Secretary of State when assessing the risk of damage to archaeology.</p> <p>Where requested by the applicant, the Secretary of State should consider granting consents which allow for micrositing/microrouting (see paragraphs 2.8.79 above) within a specified tolerance.</p>	<p>Where possible, all intrusive activities will be routed and microsited to avoid any identified marine archaeological and cultural heritage receptors with AEZs as per mitigation outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). This commitment is further detailed within the Outline Marine Archaeological WSI (APP-282).</p>
	EN-3 2.8.257 – 2.8.258	<p>To ensure a programme of archaeological works have been secured, an outline WSI, covering the entirety of the defined project area and full duration of the Project, that complies with the policy in this NPS, should be submitted within the application.</p> <p>This allows changes to be made to the precise location of infrastructure during the construction phase so that account can be taken of unforeseen circumstances such as the discovery of marine archaeological remains.</p>	<p>Where possible, all intrusive activities will be routed and microsited to avoid any identified marine archaeological and cultural heritage receptors with AEZs as per mitigation outlined in Chapter 13 Marine and Intertidal Archaeology (APP-068). This commitment is further detailed within the Outline Marine Archaeological WSI (APP-282).</p>
Offshore wind impacts: navigation and shipping	EN-3 2.8.259 – 2.8.260	<p>Mitigation measures will include site configuration, lighting and marking of projects to take account of any requirements of the General Lighthouse Authority.</p> <p>In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration (between The Applicant and third parties) as a means of resolving how adverse impacts on other commercial activities will be addressed.</p>	<p>Section 2.7 of Chapter 15 Shipping and Navigation (APP-070) sets out embedded mitigation relating to shipping and navigation and consists of:</p> <ul style="list-style-type: none"> <li>▪ Compliance with MGN 654;</li> <li>▪ Charting;</li> <li>▪ Promulgation of information;</li> <li>▪ Buoyed construction area;</li> <li>▪ Application for safety zones;</li> <li>▪ Marine coordination;</li> <li>▪ Lighting and marking;</li> <li>▪ Guard vessels;</li> <li>▪ Layout design;</li> <li>▪ Blade clearance; and</li> <li>▪ Cable protection.</li> </ul> <p>The draft DCO provides for disputes to be settled by arbitration, unless otherwise expressly stated.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Other offshore infrastructure activities	EN-3 2.8.261 – 2.8.262	<p>Detailed discussions between The Applicant for the offshore wind farm and the relevant consultees should have progressed as far as reasonably possible prior to the submission of an application. As such, appropriate mitigation should be included in any application, and ideally agreed between relevant parties.</p> <p>In some circumstances, the Secretary of State may wish to consider the potential to use requirements involving arbitration as a means of resolving how adverse impacts on other commercial activities will be addressed.</p>	<p>The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis</p> <p>The Project has undertaken consultation with relevant interest parties, which is detailed in Chapter 18 Marine Infrastructure and Other Users (APP-073). The Applicant has worked with the relevant interested parties to seek agreement on appropriate controls and mitigations where appropriate; the status of these and the mitigation options being proposed are detailed in Chapter 18 Marine Infrastructure and Other Users (APP-073).</p> <p>Consultation is a key part of the DCO application process and has been conducted through:</p> <ul style="list-style-type: none"> <li>▪ The Evidence Plan Process (EPP) including Expert Technical Group (ETG) meetings;</li> <li>▪ EIA scoping process (ODOW, 2022);</li> <li>▪ Section 47 consultation process (all public consultation phases including phase 1 and 1a); and</li> <li>▪ Section 42 consultation process (including Phase 2 Consultation, Autumn Consultation and Targeted Winter Consultation).</li> </ul> <p>An overview of the Project consultation process outlined above is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and the Consultation Report (APP-032).</p> <p>As part of the consultation process described, engagement with NATS, the MOD and other relevant aviation stakeholders has taken place throughout the EIA process in order to agree appropriate mitigations prior to Project submission.</p>
Seascape and visual effects	EN-3 2.8.263 – 2.8.264	<p>Neither the design nor scale of individual wind turbines can be changed without significantly affecting the electricity generating output of the wind turbines. Therefore, the Secretary of State should expect it to be unlikely that mitigation in the form of reduction in scale will be feasible.</p> <p>However, the siting layout of the turbines should be designed appropriately to minimise harm, considering other constraints such as ecological effects, safety reasons or engineering and design parameters.</p>	<p>The approach taken for the development of the Project has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. Stakeholder engagement has been a key influence on the project design, with each phase of consultation carefully designed to provide opportunities for review and provision of additional information to guide site selection decisions and refine the project proposals to reduce impacts from the Project.</p> <p>The Project has undertaken a design process that goes as far as practicable to develop a design that seeks to minimise harm/change to the receiving environment, and this is reflected in the iterative process that is being applied to the Project throughout the pre-application process and will continue to be applied.</p> <p>To gain a thorough understanding of the capacity for the seascape and landscape to accommodate change, an assessment of the existing character is being undertaken for both seascapes, with regards the offshore WTGs and other infrastructure (see Chapter 17 Seascape, Landscape and Visual Impact Assessment (APP-072)) and landscape with regards the OnSS (see Chapter 28 Landscape and Visual Assessment (APP-083)).</p> <p>Flexibility has also been included within the design envelope, as stated within Chapter 3: Project Description (APP-058) which sets out key parameters that assessment a</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>maximum adverse case within the SLVIA, including a maximum blade tip height above LAT of 403m.</p> <p>Furthermore, seascape impacts have been mitigated through positioning the ORCPs at a minimum of 12km from the closest part of the coastline, compared with an initial minimum distance of 6km. This greater minimum separation distance from the coastline helps to reduce the potential prominence of the ORCPs from terrestrial receptors in the study area (see Table 17.9 of Chapter 17 Seascape, Landscape and Visual Impact Assessment (APP-072)).</p>
Compensatory Measures			
Compensatory measures	EN-3 2.8.265 – 2.8.266	<p>With increasing deployment of offshore wind farms and offshore transmission, environmental impacts upon SACs SPAs, and Ramsar sites and MCZs (individually and as part of a network) may not be addressed by avoidance, reduction, or mitigation alone, therefore compensatory measures (through derogation for SACs SPAs, Ramsar sites, and, MCZs may be required at a plan or project level where adverse effects on site integrity and/or on conservation objectives cannot be ruled out.</p> <p>For many receptors, the scale of offshore wind and offshore transmission developments and potential in-combination effects means compensation could be required and applicants must refer to the latest Defra compensation guidance when making their assessments.</p>	<p>Potential impacts upon habitats and biodiversity are assessed in Chapter 9 Benthic and Intertidal Ecology (APP-064).</p> <p>Potential impacts upon fish ecology are assessed in Chapter 10 Fish and Shellfish Ecology (APP-065).</p> <p>The potential effects of the construction, operation, and decommissioning phases and Cumulative effects of the Project on marine mammals have been assessed in the impact assessment in section 11.6 of Chapter 11 Marine Mammals (APP-066).</p> <p>Potential impacts upon the fishing industry are assessed in Chapter 14 Commercial Fisheries (APP-069).</p> <p>Overall, the Chapters have concluded that there are no residual impacts.</p> <p>Further to the above, the Applicant has considered adverse impacts through the HRA process. Designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p> <p>A Marine Conservation Zone Assessment (APP-157) has been undertaken by the Applicant and concludes that the Project's construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p>
	EN-3 2.8.267- 2.8.2.69	<p>If, during the pre-application stage, SNCBs indicate that the proposed development is likely to adversely 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.</p> <p>Where such an indication is given later in the development consent process, The Applicant should share this information as soon as reasonably practical. This information includes:</p> <ul style="list-style-type: none"> <li>▪ assessment of alternative solutions, showing the relevant tests on alternatives have been met;</li> <li>▪ a case showing that the relevant tests for IROPI or Measures of Equivalent Environmental Benefit have been met; and</li> </ul>	<p>The Applicant's position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.8.270 – 2.8.272	<ul style="list-style-type: none"> <li>▪ appropriate securable environmental compensation, which will ensure no net loss to the MPA network and help ensure that the MPA target (including any interim target) set under the Environment Act 2021 targets can be met.</li> </ul> <p>Provision of such information will not be taken as an acceptance of adverse impacts and if applicants dispute the likelihood of adverse effects, they can provide this information as part of their application, ‘without prejudice’ to the Secretary of State’s final decision on the impacts of the potential development.</p> <p>If, in these circumstances, an applicant does not supply information required for the assessment of a potential derogation, consent may be refused as there will be no expectation that the Secretary of State will allow the applicant the opportunity to provide such information following the examination.</p> <p>It is vital that applicants consider the need for compensation as early as possible in the design process, as ‘retrofitting’ compensatory measures will introduce delays and uncertainty to the consenting process. Applicants are encouraged to include all compensatory measures considered, with reasoning for why they have been discounted.</p>	<p>The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination.</p> <p>The “without prejudice” case is being presented in recognition of recent consent decisions and views on possible impact expressed by some consultees pre-application and in order to provide the Secretary of State with information they may need as early as possible. The derogation case sets out the Applicant’s position on alternative solutions and the Applicant’s position in relation to Imperative Reasons of Overriding Public Interest (IROPI). In the event that the Secretary of State (SoS) identifies that an AEoI cannot be ruled out on any of the relevant sites, the Project has put forward a range of ‘without prejudice’ compensation measures for the relevant benthic and ornithological features (APP-243 – APP-264).</p> <p>A MCZ assessment (APP-157) supports the DCO and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>▪ Holderness Inshore MCZ;</li> <li>▪ Holderness Offshore MCZ; and</li> <li>▪ Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>As demonstrated within the ES (APP-032), the RIAA (APP-235), the MCZ assessment (APP-157), and Planning Statement (APP-297), the Applicant has shown how any likely significant effects relating to HRA or MCZ would be avoided, reduced, mitigated or compensated for, following the mitigation hierarchy. When taking into account the evidence presented in the ES, Planning Statement and the HRA, it is not considered that there are any adverse impacts that outweigh the benefits associated with the Project when any necessary mitigatory or compensatory measures are taken into consideration. It has been demonstrated that the Project is in accordance with the NPS and does not introduce an impediment to the policies considered within any other NPS.</p> <p>Natura 2000 sites (including HRA sites, MCZs and SSSIs) have been considered during the Project assessment with potential effects on the relevant habitats described in Chapter 9.</p>
	EN-3 2.8.273 – 2.8.275	<p>Applicants should work closely at an early stage in the pre-application 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.</p> <p>Before submitting an application, applicants should seek the views of the SNCB 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).</p>	<p>Consultation has informed the HRA process and has been undertaken with the authorities and relevant stakeholders outlined within Paragraphs 2.8.273-2.8.275 of EN-5 which has been ongoing through the Evidence Plan Process Consultation (APP-149).</p> <p>The Applicant has also produced several compensation plans, as listed below:</p> <ul style="list-style-type: none"> <li>▪ Benthic Without Prejudice Compensation Strategy (APP-243);</li> <li>▪ Without Prejudice Sandbank Compensation Plan (APP-244);</li> <li>▪ Without Prejudice Biogenic Reef Compensation Plan (APP-246);</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>In cases where such views are provided, The Applicant should include a copy of this information with the compensation plan in their application for further consideration by the Examining Authority and Secretary of State.</p>	<ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (APP-248);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ Kittiwake Compensation Plan (APP-250);</li> <li>▪ Without Prejudice Guillemot Compensation Plan (APP-252);</li> <li>▪ Without Prejudice Razorbill Compensation Plan (APP-255);</li> <li>▪ The Crown Estate Kittiwake Strategic Compensation Plan (APP-260); and</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul>
Strategic Compensation	EN-3 2.8.276 – 2.8.278	<p>The British Energy Security Strategy has committed to introducing mechanisms to support strategic compensatory measures, to compensate for environmental impacts and reduce delays to individual projects.</p> <p>Strategic Compensation is defined as a measure or a series of measures that can be delivered at scale and/or extended timeframes, which cannot be delivered by individual offshore wind and/ or offshore transmission project developers in isolation. Any measure(s) would usually be led and delivered by a range of organisations, including Government, industry and relevant stakeholders. Strategic Compensation measures would normally be identified at a plan level and applied across multiple offshore wind projects to provide ecologically meaningful compensation to designated site habitats and species adversely impacted, ensuring the coherence of the MPA network.</p> <p>This may include central coordination for measures delivered across a series of projects or biogeographic region.</p>	Please see the Applicant’s response to paragraphs 2.8.8-2.8.10 and 2.8.55-2.856 in respect of strategic compensation proposed.
	EN-3 2.8.279 – 2.8.283	<p>Applicants will be able to access tools and mechanisms to support identification of suitable compensation and facilitate delivery of Strategic Compensation measures where appropriate.</p> <p>The government is still developing its policies on Strategic Compensation, through the COWSC programme and guidance will be published in due course.</p> <p>The government will work collaboratively with industry and stakeholders to develop Strategic Compensation for projects currently in the consenting process (where possible) as well as for future developments.</p> <p>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.</p> <p>Applicants should also coordinate with other marine industry sectors, e.g. oil and gas, who might also need to find compensatory measures. This will ensure compensatory measures are complementary and/or take advantage of opportunities to join together to deliver Strategic Compensation. Applicants should demonstrate they have consulted with those industries/stakeholders who are affected by any proposed compensation measures.</p>	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
<b>Secretary of State decision making</b>			
<b>Factors influencing site selection and design</b>			
Water depth and foundation conditions	EN-3 2.8.284	Whilst the technical suitability of the foundation design is not in itself a matter for the Secretary of State, the Secretary of State will need to be satisfied that the foundations will not have an unacceptable adverse effect on marine biodiversity, the physical environment or marine heritage assets.	<p>The Applicant has adopted a Rochdale Envelope approach which assesses a worst case-scenarios to allow for flexibility. This includes the consideration of a range of different foundation types that will be used as part of the project. The foundation type selected will ultimately be dependent on the final detailed site investigations, engineering design studies and the procurement process.</p> <p>There are a number of foundation types that are being considered for the Project. The factors influencing the choice of foundation for a specific project include the type of wind turbine to be used, the nature of the ground conditions on the site, the water depth and sea conditions (i.e. prevailing wave and current climate), as well as supply chain constraints.</p> <p>Table 6.3 within Chapter 3: Project Description (APP-058) discusses the different foundation types currently considered which consist of monopile foundations, gravity base structure (GBS) foundations, pin piled jacket foundations and suction bucket foundations. Maximum design parameters for each of the Foundation types can be found in Table 6.4, Table 6.5, Table 6.6 and Table 6.7 of Chapter 3: Project Description (APP-058).</p> <p>Each relevant ES chapter assesses the maximum design scenario for foundations, with no significant residual effects being concluded.</p>
<b>Technical considerations</b>			
Network connection	2.8.285 – 2.8.288  EN-3 2.8.285 – 2.8.290	<p>When considering grid connection issues, the Secretary of State should be mindful of the requirements of the regulatory regime for onshore and offshore electricity networks and consider how this affects the proposal put forward by The Applicant.</p> <p>A proposed offshore electricity transmission cable connecting the wind farm or wind farms with the onshore electricity network (noting that this may be an offshore transmission connection point), and any offshore electricity substations that may be required, may constitute associated development, depending on their scale and nature in relation to the offshore wind farm(s).</p> <p>Where the Secretary of State is satisfied that such offshore infrastructure does constitute associated development and can form part of the application, it should be considered by the Secretary of State in accordance with this NPS.</p> <p>However, some proposals for transmission could be consented separately to the windfarm (array), see paragraphs 2.8.46 above and paragraph 1.3.5 in EN-1. The Secretary of State should assess the onshore element(s) of the grid connection (e.g. electric lines, substations) in accordance with the guidelines and requirements contained in EN-5.</p> <p>Depending upon the scale and type of this onshore development, elements of it could constitute either associated development or an energy NSIP in its own right.</p>	<p>The provisional outcomes of the Offshore Transmission Network Review process included two possible grid connection options for the Project, both of which were considered in the PEIR; a location known as ‘Lincolnshire Node’ which is situated close to the coast at Anderby in Lincolnshire, and a connection at the junction of the existing overhead lines at Weston Marsh, to the south of Boston, Lincolnshire. On 10 August 2023 it was confirmed that the Project will have a National Grid Connection at Weston Marsh.</p> <p>The transmission infrastructure/network connection described above, constitute associated development and form part of the application. The proposals that form part of the DCO Application should be considered by the Secretary of State in accordance with NPS EN-1, EN-3 and EN-5.</p>
Flexibility in project details	EN-3 2.8.291	In addition to guidance set out at 2.6 of this NPS and section 4.3 of EN-1 the Secretary of State should consider paragraph 2.8.153 in relation to ornithological headroom in this NPS.	To allow for design flexibility at detailed design stage, the Project has adopted an assessment approach known as the ‘Maximum design envelope’ approach or the ‘Rochdale Envelope’ approach. This approach assesses what is considered the ‘worst

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>case' scenario based on the maximum parameters currently defined for the Project which are detailed throughout this chapter. Within the Environmental Statement, a range of parameters for each aspect of the Project are defined and the Maximum Design Scenario (MDS) for each receptor and/or impact is identified and considered for assessment. This process and the associated parameters have been refined for the Project's ES taking account of newly available survey data and feedback from the Project's consultation, as detailed within the Consultation Report (APP-032) and summarised in section 3.3 of Chapter 3 Project Description (APP-058).</p> <p>Collision risk modelling and displacement analysis has been undertaken using survey data and parameters that have been agreed with Statutory Nature Conservation Bodies (SNCBs) through the Evidence Plan process (see Appendix 12.2: Collision Risk Modelling Assessment (APP-163).</p> <p>Cumulative effects are considered in Section 12.10 of Chapter 12: Offshore and Intertidal Ornithology (APP-067) and adopts as a 'worst-case' scenario methodology for assessing effects. The different types of Projects considered in the cumulative assessment within the chapter comprise:</p> <ul style="list-style-type: none"> <li>▪ Offshore windfarms;</li> <li>▪ Marine aggregate extraction;</li> <li>▪ Oil and gas exploration and fraction;</li> <li>▪ Sub-sea cables and pipelines; and</li> <li>▪ Commercial shipping.</li> </ul> <p>The possible over-precautionary assumptions are built into cumulative assessments of particular impacts on species are highlighted, although not relied on to determine overall level of significance.</p> <p>Potential effects from displacement and collision risk are presented and assessed in Section 12.8 of Chapter 12: Offshore and Intertidal Ornithology (APP-067).</p> <p>In Line the Projects Desing envelope approach, this has taken into the account to ornithological headroom.</p>
Micrositing and microrouting	EN-3 2.8.292 – 2.8.293	<p>Where requested by The Applicant, any consent granted by the Secretary of State should be flexible enough to allow for such micrositing or microrouting changes as may be advised during and after the application stage. This allows for unforeseen events, such as the discovery of previously unknown marine archaeology that it would be preferable to leave in situ.</p> <p>The Secretary of State must also be satisfied that there is sufficient space to microsite/microroute for any proposal to be acceptable as a mitigation (e.g. any feature to avoid must not cover the full width of the assessed cable corridor).</p>	<p>The Applicant has adopted a 'design envelope' approach, or the 'Rochdale Envelope' approach (The Inspectorate, 2018) which assesses a worst case-scenarios to allow for flexibility. At this stage in the development process, exact locations of infrastructure and the precise technologies and construction methods employed cannot be made and as such this approach adopted allows considered the 'worst case' scenario based on the maximum parameters currently defined for the Project at the application stage, which are detailed within Chapter 3: Project Description (APP-058).</p> <p>As noted in the Planning Inspectorate Advice Note Nine (The Planning Inspectorate, 2018), the Rochdale Envelope approach or design envelope approach, is widely recognised as appropriate and will be employed where the developer may not know the exact specifications of infrastructure that will comprise the proposed project.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>The Export Cable Corridor has been assessed at a width that provides sufficient flexibility to avoid such features through micrositing of the cable within the corridor. This flexibility is also applied to the options considered for foundation types, Wind Turbine Generator (WTG) size, siting of infrastructure and construction methods etc. to ensure that anticipated changes in available technologies between now and the detailed design phase can be accommodated within the design, whilst retaining an Environmental Impact Assessment (EIA) that considers all options, with conclusions that are robust regardless of the final design eventually built out. Chapter 4: Site Selection and Consideration of Alternatives provides further summaries on the flexibility of the Projects infrastructure elements.</p> <p>The description of the Proposed Development will be refined as the design continues to evolve through the key subsequent stages of the design, consultation and EIA process culminating in the Environmental Statement (ES) that will accompany the Development Consent Order (DCO) Application.</p>
Future monitoring	EN-3 2.8.295 – 2.8.296	<p>Owing to the complex nature of offshore wind development, and the difficulty in establishing the evidence base for marine environmental recovery the Secretary of State should, where appropriate, request The Applicant undertake environmental monitoring (e.g. ornithological surveys, geomorphological surveys, archaeological surveys) prior to and during construction and operation.</p> <p>The Secretary of State may consider that monitoring of any impact is appropriate.</p>	<p>An In-Principal Monitoring Plan (APP-276) has been submitted alongside the Project which provides details of the proposed monitoring for the Project. The document provides the basis for delivering the monitoring measures required by the conditions of the deemed Marine Licences (dMLs) contained within the DCO.</p> <p>The document also provides a framework for discussions with the Marine Management Organisation (MMO) and the relevant Statutory Nature Conservation Bodies (SNCBs) to agree the exact detail (timings, methodologies etc.) of the monitoring proposed post consent. The monitoring plan to be submitted to the Marine Management Organisation (MMO) for approval post consent must accord with this IPMP.</p> <p>Due to the long lead in time for the development of offshore wind projects, it is not desirable or effective to provide final detailed method statements prior to consent. However, agreeing guiding principles reinforces commitments made in the Environmental Statement (ES) and complements other requirements set out in the dMLs and will allow refinements to be made based on the best available knowledge and technology. Final detailed plans for monitoring work will be produced post consent closer to the time that the actual work will be undertaken, in line with the conditions proposed within the dMLs.</p> <p>This plan puts forward outline proposals for monitoring for the following relevant topics which have been assessed across the ES:</p> <ul style="list-style-type: none"> <li>▪ Marine Processes</li> <li>▪ Marine Water and Sediment Quality</li> <li>▪ Benthic Subtidal and Intertidal Ecology</li> <li>▪ Fish and Shellfish Ecology</li> <li>▪ Marine Mammals</li> <li>▪ Offshore and Intertidal Ornithology</li> <li>▪ Marine and Intertidal Archaeology</li> <li>▪ Commercial Fisheries</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Shipping and Navigation</li> </ul> <p>The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the Development Consent Order (DCO). The plan includes other environmental monitoring measures adopted as part of the project.</p>
Decommissioning	EN-3 2.8.297	For guidance on the decommissioning the Secretary of State should consult 2.8.101 of this NPS	All decommissioning impacts have been considered as part of the ES in each Chapter. It is understood that the SoS will require a decommissioning programme, satisfying the requirements of s.105(8) of the Energy Act 2004 before any offshore construction works begin, to demonstrate a commitment to ensure any long-term environmental impacts are removed following decommissioning.
<b>Offshore wind environmental standards</b>			
Offshore wind environmental standards	EN-3 2.8.298 – 2.8.299	<p>Once the OWES Guidance is issued, the Secretary of State will expect applicants to have applied the relevant measures to their application.</p> <p>The Secretary of State will consider an application for development consent in accordance with the OWES Guidance and/or its targets. Whether an application conforms to the OWES Guidance and/or targets (or any justification for departing from them) is likely to be material to the decision on development consent and, where relevant, will inform the Secretary of State’s HRA and MCZ assessment.</p>	OWES has not yet come into force.
Impacts	EN-3 2.8.300 – 2.8.301	<p>The impacts identified in Part 5 of EN-1 and below, are not intended to be exhaustive.</p> <p>The Secretary of State should consider any impacts which it determines are relevant and important to its decision.</p>	Noted by the Applicant. All relevant information has been assessed and forms part of the DCO Application.
Biodiversity and Ecological Conservation	EN-3 2.8.302	The Secretary of State should consider the effects of a proposed development on marine ecology and biodiversity, considering all relevant information made available by The Applicant.	<p>Biodiversity and ecological conservation have been assessed as part of the ES and HRA and are discussed throughout this Planning Statement Policy Compliance Document (APP-298) and Planning Statement (APP-297). In particular, the SoS should refer to assessments included within:</p> <ul style="list-style-type: none"> <li>▪ Report to Inform Appropriate Assessment (APP-235);</li> <li>▪ Derogation Case (APP-242);</li> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11: Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 21: Onshore Ecology (APP-076);</li> <li>▪ Chapter 22: Onshore Ornithology (APP-077); and</li> <li>▪ Outline Landscape and Ecological Management Strategy (APP-284).</li> </ul>
Biodiversity and Ecological Conservation	EN-3 2.8.303- 2.8.304	The Secretary of State should be satisfied that, in the development of their proposal, The Applicant has made appropriate, and extensive, use of up-to-date evidence from previous deployments and research results from scientific peer reviewed papers and the programmes listed in paragraph	<p>A Marine Conservation Zone Assessment (APP-157) has been undertaken by the Applicant and has screened the following three MCZs in for consideration as a result of their proximity to the Project:</p> <ul style="list-style-type: none"> <li>• Holderness Inshore MCZ;</li> </ul>

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		<p>2.8.97 and assessed through HRA/MCZ processes (including the mitigation hierarchy), the impact on any protected species or habitats, as well as having regard to requirements set out in 5.4.39 of EN-1 (e.g. the Environment Act) and GES under the UK Marine Strategy.</p> <p>The designation of an area as a protected site (including SACs SPAs, and Ramsar sites, MCZs and SSSIs) does not necessarily restrict the construction or operation of offshore wind farms or offshore transmission in, near, or through that area (see also Sections 4.3 and 5.4 of EN-1). However, it may make consent for such construction more difficult to secure.</p>	<ul style="list-style-type: none"> <li>• Holderness Offshore MCZ; and</li> <li>• Cromer Shoal Chalk Bed MCZ.</li> </ul> <p>The MCZ assessment concludes that the Project’s construction, O&amp;M, and decommissioning activities within the offshore ECC and array area will not hinder the achievement of the conservation objectives of either MCZ.</p> <p>In addition, the Applicant has considered adverse impacts through the HRA process. Designated sites and features have been screened, in consultation with Natural England, and considered within the Report to Inform Appropriate Assessment (RIAA) (APP-235) and relevant ES Chapters with further details available in Table 7-1 of the RIAA and each relevant ES Chapter.</p>
	<p>EN-3 2.8.305 – 2.8.306</p>	<p>Where adverse effects on site integrity/conservation objectives are predicted the Secretary of State should consider the extent to which the effects are temporary or reversible, and the timescales for recovery. The Secretary of State should also consider the extent to which the effects may impede achievement of the MPA target (including any interim target) set under the Environment Act 2021.</p> <p>See paragraphs 2.8.315 of this NPS for further guidance on offshore wind environmental standards.</p>	<p>The Applicant’s position as set out in the RIAA is that there will be no AEoI on the designated sites and features identified through screening other than a potential risk of AEoI in relation to the kittiwake feature of the Flamborough and Filey Coast (FFC) SPA in-combination with other plans, projects and activities. The Applicant has noted that the Crown Estate (TCE) concluded AEoI in-combination to the FFS CPA for kittiwake for the Round Four Plan-Level HRA (which included the Project), however this conclusion was drawn without the benefit of any project specific data. The Applicant has promoted a full derogation case for the kittiwake features.</p> <p>The derogation case in relation to all other sites and features is made “without prejudice” to the SoS’s final decision on the impacts of the Project which will be subject to consideration at Examination</p> <p>In the event that the SoS does conclude an AEoI on any designated sites the mitigation and compensatory measures proposed are considered sufficient to ensure the coherence of the National Site Network:</p> <p>A Marine Conservation Zone Assessment (APP-157) also has been undertaken by the Applicant and concludes that the Project’s construction, operation and maintenance and decommissioning activities within the offshore ECC and array areas will not hinder the achievement of the conservation objectives of the three MCZs assessed.</p>
Physical Environment	<p>EN-3 2.8.307 – 2.8.308</p>	<p>As set out in paragraphs 2.8.125 of this NPS the direct effects on the physical environment can have indirect effects on a number of other receptors.</p> <p>Where indirect effects are predicted, the Secretary of State should refer to relevant sections of this NPS and EN-1.</p>	<p>This Policy Compliance Document and Planning Statement (APP-297) have concluded and demonstrated that there are no direct or indirect effects on the physical environment that cannot be mitigated.</p> <p>Impacts to Impacts on the physical environment (direct and indirect) are assessed in Chapter 7: Marine Physical Processes (APP-062)The assessment concludes no significant adverse effects.</p> <p>Mitigation measures that will ensure impacts on the physical environment are minimised where practicable include:</p> <ul style="list-style-type: none"> <li>▪ The Cable Burial Risk Assessment (CBRA) (APP-142) which will inform the preferred option for cable protection and will take account of the presence of designated sites.</li> <li>▪ An Outline Cable Specification and Installation Plan (CSIP) (APP-278), which will be finalised post-consent and will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>mitigate environmental effects, these crossings will be agreed with relevant parties in advance of CSIP submission; and</p> <ul style="list-style-type: none"> <li>An Outline Scour Protection and Cable Protection Management Plan (APP-295) which outlines the key principles of how the Applicant intends to manage the protection of foundations and cables from the effects of scour and hazards (e.g., snagging anchors in the case of cables), both immediately post-construction and throughout the operational life of the Project. T</li> </ul>
Fish	EN-3 2.8.310	<p>The Secretary of State must be satisfied that the design of the wind farm, offshore transmission and methods of construction, including use of materials, are such as to reasonably minimise the potential for impact on the physical environment. This could involve, for instance, the exclusion of certain foundations because of their impacts or minimising quantities of rock that are used to protect cables whilst taking into account other relevant considerations such as safety.</p>	<p>The Applicant has proposed designs and installation methods that seek to minimise significant adverse effects on the physical environment where possible. Where necessary, the assessment has set out mitigation to avoid or reduce significant adverse effects, as outlined in Chapter 7 Marine Physical Processes (APP-062).</p> <p>The Project design and location has been based on early engagement with key stakeholders (such as Defra), the public and a range of environmental and technical appraisals. Whilst aspects of the projects location are constrained (including the Array Area which is based on the Round 4 leasing process which offers seabed rights in particular areas), the Project as presented is sustainable and both functional as well as well-designed. The Applicant has maximised rgw capacity within the technological, environmental, and other constraints of the development. Further design considerations of relevance to the offshore design are set out in the Design Approach Document (APP-292) and the Desing Principles Statement (APP-293).</p> <p>Further documents that will ensure impacts on the physical environment are minimised where practicable include the The Cable Burial Risk Assessment (CBRA) (APP-142), the Outline Cable Specification and Installation Plan (CSIP) (APP-278) and the An Outline Scour Protection and Cable Protection Management Plan (APP-295).</p> <p>The preferred method for protecting offshore cables will be to bury them within the sea bed. However, where this is not practically possible to bury cables to an adequate depth, it may be necessary to install cable protection to prevent scour and minimise the risk of cable exposure. The MDS approach has been applied to cable protection and outlined in Table 7.3 of Chapter 7: Physical Processes (APP-062) and consists of rock berms with a maximum height of 1.5m and a width at seabed of 12m, comprising a total area of 1,422,934m<sup>2</sup> within the array area and 890,870m<sup>2</sup> for the export cable outside of the array area.</p> <p>An assessment of the nature, potential burial depth, and installation of Export cables is provided in Chapter 9 Benthic and Intertidal Ecology (APP-064), in accordance with the cable design and specification as presented in Chapter 7 Marine Physical Processes (APP-062).</p> <p>A Project Environmental Management Plan will also be implemented to ensure the to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental management measures are applied during construction, operation and decommissioning and a Cable Specification and Installation Plan will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection (see Outline Project Environmental Management Plan (APP-277)).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Where it is proposed that mitigation measures are applied to offshore Export cables to reduce EMF (e.g., armoured cabling and cable burial at sufficient depths) the residual effects of EMF on sensitive species from cable infrastructure during operation are not likely to be significant. Once installed, operational EMF impacts are unlikely to be of sufficient range or strength to create a barrier to fish movement.</p> <p>Chapter 10 Fish and Shellfish Ecology (APP-065) provides a summary of the potential environmental effects and identifies approaches to mitigation and proposed monitoring during the construction phase, O&amp;M phase, and decommissioning phase.</p> <p>Further information regarding cable protection can also be found within the Outline Cable Specification and Installation Plan (CSIP) (APP-278).</p>
Intertidal and Coastal Habitat Species	EN-3 2.8.311	The Secretary of State should be satisfied that cable installation and decommissioning has been designed sensitively, considering Intertidal/coastal habitats.	<p>A Project Environmental Management Plan will also be implemented to ensure the to ensure good practice is followed to avoid release of any contaminants and ensure appropriate environmental management measures are applied during construction, operation and decommissioning and a Cable Specification and Installation Plan will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure and thus the need for additional cable protection (see Outline Project Environmental Management Plan (APP-277)).</p> <p>Further information regarding cable protection can also be found within the Outline Cable Specification and Installation Plan (CSIP) (APP-278).</p>
Marine Mammals	EN-3 2.8.312	The Secretary of State should be satisfied that the preferred methods of construction, in particular the construction method needed for the proposed foundations and the preferred foundation type, where known at the time of application, are designed to reasonably minimise significant impacts on marine mammals.	<p>The Applicant has adopted a Rochdale Envelope approach which assesses a worst case-scenarios to allow for flexibility. This includes the consideration of a range of different foundation types that will be used as part of the Project. The foundation type selected will ultimately be dependent on the final detailed site investigations, engineering design studies and the procurement process.</p> <p>Mitigation methods related to foundations are considered within the Outline MMMP for Piling Activities (APP-279). The details of the final MMMP will be agreed once the final Project design is known and compliance with the MMMP will be secured in the dML conditions within the DCO.</p> <p>An In-Principal Monitoring Plan (APP-276) has also been submitted alongside the Project which provides details of the proposed monitoring for the Project (including impacts on marine mammals). The document provides the basis for delivering the monitoring measures required by the conditions of the deemed Marine Licences (dMLs) contained within the DCO.</p> <p>The document also provides a framework for discussions with the Marine Management Organisation (MMO) and the relevant Statutory Nature Conservation Bodies (SNCBs) to agree the exact detail (timings, methodologies etc.) of the monitoring proposed post consent. The monitoring plan to be submitted to the Marine Management Organisation (MMO) for approval post consent must accord with this IPMP.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-3 2.8.313 – 2.8.314	<p>Unless suitable noise mitigation measures can be imposed by requirements to any development consent the Secretary of State may refuse the application.</p> <p>The conservation status of cetaceans and seals are of relevance and the Secretary of State should be satisfied that cumulative and in-combination impacts on marine mammals have been considered.</p>	<p>The conservation status of species is factored into the assessment of significance in Chapter 11 Marine Mammals (APP-066) and no significant impacts are identified within the chapter</p> <p>Noise has been assessed in the RIAA (APP-235) and EIA impacts from underwater noise assessed in sections 11.6 of Chapter 11: Marine Mammals (APP-066). An In Principle Southern North Sea Special Area of Conservation Site Integrity Plan has been submitted alongside the DCO application (APP-281). A final Site Integrity Plan (SIP) will be submitted in the post-consent stage as required by the deemed Marine Licences (dMLs).</p> <p>Noise has also been considered within Appendix 11.2: Underwater Noise Assessment (APP-161, and mitigation measures are specified in and further detail can be found in the Outline Marine Mammal Mitigation Protocol (Piling) (APP-279) and the Outline Marine Mammal Mitigation Protocol (UXO) (APP-280).</p> <p>The conservation status of European Protected Species (EPS) and seals is presented in the Marine Mammals Technical Baseline (APP-160) and is considered within the impact assessment and cumulative assessment for each species. The conservation status is considered within the in-combination assessment presented in the RIAA (APP-235).</p>
Birds	EN-3 2.8.315	The Secretary of State must be satisfied that the collision risk and displacement assessments have been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor.	<p>Collision risk modelling and displacement analysis has been undertaken using survey data and parameters that have been agreed with Statutory Nature Conservation Bodies (SNCBs) through the Evidence Plan process (see Appendix 12.2: Collision Risk Modelling Assessment (APP-163)).</p> <p>Cumulative effects are considered in Section 12.10 of Chapter 12: Offshore and Intertidal Ornithology (APP-067) and adopts as a ‘worst-case’ scenario methodology for assessing effects.</p> <p>The possible over-precautionary assumptions built into cumulative assessments of particular impacts on species are highlighted, although not relied on to determine overall level of significance.</p> <p>Collision risk and displacement assessments have been conducted to a satisfactory standard having had regard to the advice from the relevant statutory advisor as shown in the Consultation Report (APP-032) and included within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 12, Appendix 2: Collision Risk Modelling (APP-163); and</li> <li>▪ Chapter 12, Appendix 5: Migratory Collision Risk Modelling (APP-166).</li> </ul> <p>The RIAA (APP-235) concludes that there is a potential collision AEoI in relation to the kittiwake feature of the FFC SPA during the Project’s operation and maintenance phase when considered in-combination with other developments. In addition, the RIAA (APP-235) outlines that there is a potential displacement risk to the razorbill and guillemot features of the FFC SPA (on a without prejudice basis)</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>The Applicant has therefore provided an Article 6(4) Habitats Regulations Assessment (HRA) derogation case (APP-242) on both a with and without prejudice basis to provide to the SoS with the necessary information to support a clear and overriding case for the Project, should they conclude AEol.</p> <p>Further compensation can be found within:</p> <ul style="list-style-type: none"> <li>▪ Without Prejudice Benthic Compensation Strategy (APP-243);</li> <li>▪ Ornithology Compensation Strategy (APP-249);</li> <li>▪ TCE Kittiwake Strategic Compensation Plan (APP-260);</li> <li>▪ Compensation Funding Statement (APP-264).</li> </ul>
	EN-3 2.8.316	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.	<p>Whilst it is noted that the in-combination impacts are estimated at 360 birds per annum, reduced from previous totals following incorporation of kittiwake compensation for multiple projects, the Applicant cannot, at this stage, rule out a conclusion of AEol in-combination to the kittiwake feature at FFC SPA in the O&amp;M phase.</p> <p>See the RIAA (APP-235) for further information which includes details on the potential for AEol.</p> <p>Consultation is a key part of the DCO application process and the views of relevant statutory advisors has been conducted through bilateral engagement, the EPP, ETGs, the scoping process and statutory and non statutory consultation carried out under the 2008 Act.</p> <p>An overview of the Project consultation process outlined above is presented within Volume 1, Chapter 6: Technical Consultation (APP-061) and the Consultation Report (APP-032).</p>
Subtidal habitats and species	EN-3 2.8.317	The Secretary of State should be satisfied that activities have been designed considering sensitive subtidal environmental aspects and discussions with the relevant conservation bodies have taken place.	<p>The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2018 Round 4 leasing criteria. Notwithstanding this, the Applicant has sought, through consultation, survey and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project.</p> <p>The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. Consultation has been undertaken through the scoping process, statutory pre-application requirements and the Evidence Plan process as set out in Chapter 9 Benthic and Intertidal Ecology (APP-064). This includes consultation with NE across all the consultation stages.</p> <p>Further information can be found within the EPP is contained within the Evidence Plan Process (APP-149) and an overview of the consultation is within the Consultation Report (APP-032).</p> <p>Further design considerations of relevance to the offshore design in relation the subtidal environment and associated consultation are set out in:</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Chapter 4: Site Selection and Consideration of Alternatives (APP-059);</li> <li>▪ Design Approach Statement (APP-292); and</li> <li>▪ Desing Principles Statement (APP-293).</li> </ul> <p>The Applicant has followed the mitigation hierarchy across all biological and ecological chapters and the HRA and has aimed to avoid adverse impacts through consideration of reasonable alternatives.</p>
Commercial fisheries and fishing	EN-3 2.8.318 – 2.8.319	<p>The Secretary of State should be satisfied that the site selection process has been undertaken in a way that reasonably minimises adverse effects on fish stocks, including during peak spawning periods and the activity of fishing itself.</p> <p>The Secretary of State should consider the extent to which the proposed development occupies any recognised important fishing grounds and whether the Project would prevent or significantly impede protection of sustainable commercial fisheries or fishing activities.</p>	<p>The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2018 Round 4 leasing criteria. Notwithstanding this, the Applicant has sought, through consultation, survey and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. Notwithstanding this, the Applicant has sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. This includes the reduced the project design from that proposed during the scoping phase in order to reduce the potential impacts as far as practicable on the seabed.</p> <p>The site selection process is fully described in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals. The effects arising from the Project have been and will be discussed with statutory bodies during pre- and post-application consultation. The Applicant is taking steps, and will continue to do so, to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Commitments related to commercial fisheries and adopted as part of the Project are provided in Chapter 14 Commercial Fisheries (APP-069); these include a reduction in project design.</p> <p>The extent to which the Project impacts on recognised and important fishing grounds has been considered, and consultation with fishing stakeholders in order to fully understand any potential impacts has been undertaken and results of the commercial fisheries assessment are presented in Chapter 14 Commercial Fisheries (APP-069)</p> <p>Further design considerations are also presented within the Desing Approach Document (APP-292) and the Desing Principles Statement (APP-293).</p>
	EN-3 2.8.320	Where the Secretary of State considers the wind farm would significantly impede protection of sustainable fisheries or fishing activity at recognised important fishing grounds, this should be attributed a correspondingly significant weight.	<p>This topic is assessed in full in Chapter 14 Commercial Fisheries (APP-069).</p> <p>Relevant surveys and data are detailed in Chapter 10 Fish and Shellfish Ecology (APP-065). The Project assessment has considered the effects on commercial fish stocks (see Chapter 10 Fish and Shellfish Ecology (APP-065)).</p> <p>Chapter 14 Commercial Fisheries (APP-069) concludes that the Project would not have any residual significant impacts on the protection of sustainable fisheries or fishing activity, following the proposed mitigation, which includes:</p> <ul style="list-style-type: none"> <li>▪ Application for safety zones to protect/reduce the risk of collisions;</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>■ The commitment to ongoing liaison with fishermen across all stages of the Project;</li> <li>■ Cable burial will be informed by the cable burial risk assessment (CBRA) – which will take account of the presence of designated sites – and detailed within the Cable Specification and Installation Plan (CSIP). An Outline Cable Specification and Installation Plan (APP-278).</li> </ul>
Marine historic environment	EN-3 2.8.321 – 2.8.324	<p>The Secretary of State should consider adverse or beneficial impacts on different types of commercial fishing on a case-by-case basis.</p> <p>The Secretary of State should be satisfied that The Applicant has sought to design the proposal having consulted the MMO or NRW in Wales, Defra or Welsh Government in Wales and representatives of the fishing industry with the intention of minimising the loss of fishing opportunity taking into account effects on other marine interests. Guidance has been jointly agreed by the renewables and fishing industries on how they should liaise with the intention of allowing the two industries to successfully co-exist.</p> <p>The Secretary of State will need to consider the extent to which disruption to the fishing industry, whether short term during pre-construction (e.g. surveying) or construction or long term over the operational period, including that caused by the future implementation of any safety zones, has been mitigated where reasonably possible.</p> <p>Where an offshore wind farm or offshore transmission could affect a species of fish that is of commercial interest, but is also of ecological value, the Secretary of State should refer to Section 2.8.137 of this NPS with regard to the latter.</p>	<p>The effects arising from the Project have been discussed with statutory bodies during pre- and post-application consultation. The Project is taking, and will continue to take, steps to minimise the effects upon the fishing industry in the area through appropriate mitigation where required. Designed-in measures related to commercial fisheries will be adopted as part of The Project are provided in Chapter 14 Commercial Fisheries (APP-069). This includes the reduced the project design from that proposed during the scoping phase in order to reduce the potential impacts as far as practicable on the seabed.</p> <p>The extent to which the Project may cause disruption to the fishing industry has been considered and consultation with fishing stakeholders in order to fully understand any potential impacts has been undertaken. The results of the commercial fisheries assessment and a range of commitments to minimise and mitigate adverse impacts are presented within Section 14.5.3 of Chapter 14 Commercial Fisheries (APP-069).</p> <p>Chapter 14 Commercial Fisheries (APP-069) also provides a summary of the potential environmental effects during the construction phase, O&amp;M phase, and decommissioning phase.</p> <p>Consultation with the MMO and representatives of the fishing industry has commenced and is ongoing. Engagement is summarised in Chapter 14 Commercial Fisheries (APP-069). Existing guidance regarding liaison is noted and is being applied by The Applicant.</p> <p>The proposals meet the high-level marine objectives, plan vision, and all relevant policies. However, should the SoS disagree with these conclusions then the Applicant is confident that in line with Paragraph 4.5.12 of EN-1, the NPS prevails for purposes of decision making.</p> <p>In line with Paragraph 4.6.3 of EN-1, the SoS should give appropriate weight to the benefits of the Project when considering the planning balance.</p>
	EN-3 2.8.325	The Secretary of State should be satisfied that any proposed offshore wind farm and/ or offshore transmission project has appropriately considered and mitigated for any impacts to the historic environment, including both known heritage assets, and discoveries that may be made during the course of development	Chapter 13: Marine and Intertidal Archaeology (APP-068) has considered the effects of the construction, operation and decommissioning activities particularly through direct impacts to archaeological material which could be present in the area. Mitigation includes the introduction of AEZs which have been applied to all known wrecks and anomalies of high and medium archaeological potential identified in the geophysical data. In addition, Outline Marine Written Scheme of Investigations (APP-282 – APP-283) has been produced to establish the approach to further survey work to be undertaken for the Project.

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			It is also worth noting that Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) presents and details the archaeological DBA and the archaeological assessment of geophysical data collected to date.
Navigation and shipping	EN-3 2.8.326 – 2.8.327	<p>The Secretary of State should not grant development consent in relation to the construction or extension of an offshore wind farm if it considers that interference with the use of recognised sea lanes essential to international navigation is likely to be caused by the development.</p> <p>The use of recognised sea lanes essential to international navigation means:</p> <ul style="list-style-type: none"> <li>▪ anything that constitutes the use of such a sea lane for the purposes of article 60(7) of the United Nations Convention on the Law of the Sea 1982; and</li> <li>▪ any use of waters in the territorial sea adjacent to Great Britain that would fall within paragraph (a) if the waters were in a REZ.</li> </ul>	<p>This topic is assessed in Chapter 15 Shipping and Navigation (APP-070) and concludes that there are no residual impacts after mitigation.</p> <p>Internationally recognised sea lanes, other identified routes and navigational features such as IMO routing measures are considered a key element of the shipping and navigation Baseline. It is noted that no IMO routing measures are in proximity to the Array area. The methodology for Baseline data gathering and Baseline conditions are outlined in Chapter 15 Shipping and Navigation (APP-070).</p>
	EN-3 2.8.328 – 2.8.329	<p>The Secretary of State should be satisfied that the site selection has been made with a view to avoiding or minimising disruption or economic loss to the shipping and navigation industries with particular regard to approaches to ports and to strategic routes essential to regional, national and international trade, lifeline ferries and recreational users of the sea.</p> <p>Where after carrying out a site selection, a proposed development is likely to adversely affect major commercial navigation routes, for instance by causing appreciably longer transit times, the Secretary of State should give these adverse effects substantial weight in its decision making.</p>	<p>The Applicant is constrained in its ability to apply a site selection process that would avoid all impacts, as a result of the 2018 Round 4 leasing criteria. Notwithstanding this, the Applicant has sought, through consultation, survey and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project. Notwithstanding this, the Applicant has sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project</p> <p>The Project design and location has been based on early engagement with key stakeholders, the public and a range of environmental and technical appraisals and following early, pre Section 42 consultation, engagement the northern array boundary was refined/reduced to address interaction with a hot spot for shipping traffic.</p> <p>This topic is assessed in full within Chapter 15 Shipping and Navigation (APP-070), which outlines that the SoS should be satisfied that there will be no adverse impact on major commercial navigation routes.</p> <p>It is also worth noting that internationally recognised sea lanes, other identified routes and navigational features such as IMO routing measures are considered a key element of the shipping and navigation Baseline. It is noted that no IMO routing measures are in proximity to the Array area. The methodology for Baseline data gathering and Baseline conditions are outlined in Chapter 15 Shipping and Navigation (APP-070).</p>
	EN-3 2.8.330 – 2.8.333	<p>Where a proposed offshore wind farm is likely to affect less strategically important shipping routes, the Secretary of State should take a pragmatic approach to considering proposals to minimise negative impacts.</p> <p>The Secretary of State should be satisfied that risk to navigational safety is ALARP. It is Government policy that wind farms and all types of offshore transmission should not be consented where they would pose unacceptable risks to navigational safety after mitigation measures have been adopted.</p> <p>The Secretary of State should be satisfied that the scheme has been designed to minimise the effects on recreational craft and that appropriate mitigation measures, such as buffer areas, are built into applications to allow for recreational use outside of commercial shipping routes.</p>	<p>Chapter 14: Commercial Fisheries (APP-069) and concludes that there are no residual impacts in relation to marine considerations.</p> <p>A detailed Navigational Risk Assessment has been undertaken and is presented in Volume 3, Appendix 15.1 (APP-171) which includes full consideration of commercial fishing vessels while transiting (e.g., from a collision and allision perspective). The assessment concludes that all risks are tolerable or broadly acceptable with mitigation where relevant.</p> <p>The IMO Formal Safety Assessment (FSA) methodology (IMO, 2018) has been applied for assessing effects on shipping and navigation receptors including application of the ALARP principle to ensure risks are within tolerable levels. The methodology for assessment is provided in Chapter 15 Shipping and Navigation (APP-070).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>In view of the level of need for energy infrastructure, where an adverse effect on the users of recreational craft has been identified, and where no reasonable mitigation is feasible, the Secretary of State should weigh the harm caused with the benefits of the scheme.</p>	
	<p>EN-3 2.8.334 – 2.8.340</p>	<p>The Secretary of State should make use of advice from the MCA, who will use the NRA described in paragraphs 2.8.179 and 2.8.180 above.</p> <p>The Secretary of State should have regard to the extent and nature of any obstruction of or danger to navigation which (without amounting to interference with the use of such sea lanes) is likely to be caused by the development in determining whether to grant consent for the construction, or extension, of an offshore wind farm, and what requirements to include in such a consent.</p> <p>The Secretary of State may include provisions, compliant with national maritime legislation and United Nations Convention on the Law of the Sea (UNCLOS), within the terms of a development consent as respects rights of navigation so far as they pass through waters in or adjacent to Great Britain which are between the mean low water mark and the seaward limits of the territorial sea. The provisions may specify or describe rights of navigation which: are extinguished;</p> <ul style="list-style-type: none"> <li>▪ are suspended for the period that is specified in the DCO;</li> <li>▪ are suspended until such time as may be determined in accordance with provisions contained in the DCO; and</li> <li>▪ are exercisable subject to such restrictions or conditions, or both, as are set out in the DCO.</li> <li>▪ The Secretary of State should specify the date on which any such provisions are to come into force, or how that date is to be determined.</li> </ul> <p>The Secretary of State should require The Applicant to publish any provisions that are included within the terms of the DCO, in such a manner as appears to the Secretary of State to be appropriate for bringing them, as soon as is reasonably practicable, to the attention of persons likely to be affected by them.</p> <p>The Secretary of State should include provisions as respects rights of navigation within the terms of a DCO only if The Applicant has requested such provision be made as part of their application for development consent.</p>	<p>The NRA is considered a key input to the shipping and navigation impact assessment including compliance with MCA guidance documents. The NRA is provided in Appendix 15.1: Navigational Risk Assessment (APP-171) and its methodology was agreed during consultation with the MCA and Trinity House (see Chapter 15 Shipping and Navigation (APP-070)).</p> <p>The Navigational Risk Assessment has included advice received from the MCA and includes:</p> <ul style="list-style-type: none"> <li>▪ Outline of methodology applied in the NRA;</li> <li>▪ Summary of consultation undertaken with shipping and navigation stakeholders to date;</li> <li>▪ Lessons learnt from previous offshore windfarm (OWF) developments;</li> <li>▪ Summary of the project description relevant to shipping and navigation;</li> <li>▪ Baseline characterisation of the existing environment;</li> <li>▪ Discussion of potential impacts on navigation, communication and position fixing equipment;</li> <li>▪ Cumulative and transboundary overview;</li> <li>▪ Vessel to vessel collision modelling;</li> <li>▪ Assessment of navigational risk (following the Formal Safety Assessment (FSA) process);</li> <li>▪ Outline of embedded mitigation measures; and</li> <li>▪ Completion of MGN 654 Checklist.</li> </ul> <p>Potential hazards are considered for each phase of development (including cumulative) as follows:</p> <ul style="list-style-type: none"> <li>▪ Construction;</li> <li>▪ Operations and Maintenance (O&amp;M); and</li> <li>▪ Decommissioning.</li> </ul> <p>The shipping and navigation baseline and risk assessment has been undertaken based upon the information available and responses received at the time of preparation, including the Maximum Design Scenarios as discussed above and sets out measures to manage risk to ALARP.</p> <p>The Applicant will develop and adhere to a Cable Specification and Installation Plan (CSIP), relating to the offshore ECC, post-consent. The CSIP will set out appropriate cable burial depth in accordance with industry good practice, minimising the risk of cable exposure. The CSIP will also ensure that cable crossings are appropriately designed to mitigate environmental effects, these crossings will be agreed with relevant parties in advance of CSIP submission. The CSIP will be conditioned in the deemed Marine Licence. An outline CSIP is provide within APP-278.</p> <p>The IMO Formal Safety Assessment (FSA) methodology (IMO, 2018) has also been applied for assessing effects on shipping and navigation receptors including application</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
Other offshore infrastructure and activities	EN-3 2.8.341- 2.8.343	<p>There are statutory requirements concerning automatic establishment of navigational safety zones relating to offshore petroleum developments.</p> <p>Where a proposed offshore wind farm potentially affects other offshore infrastructure or activity, a pragmatic approach should be employed by the Secretary of State.</p> <p>Much of this infrastructure is important to other offshore industries as is its contribution to the UK economy.</p>	<p>of the ALARP principle to ensure risks are within tolerable levels. The methodology for assessment is provided in Chapter 15 Shipping and Navigation (APP-070).</p> <p>Other offshore infrastructure that has been considered as part of the DCO Application is assessed within:</p> <ul style="list-style-type: none"> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 16: Aviation, Radar and Military Communication (APP-071); and</li> <li>▪ Chapter 18 Marine Infrastructure and Other Users (APP-073); and</li> <li>▪ Chapter 29: Socio-Economic Characteristics (APP-084).</li> </ul>
	EN-3 2.8.344 – 2.8.346	<p>In such circumstances, the Secretary of State should expect The Applicant to work with the impacted sector to minimise negative impacts and reduce risks to as low as reasonably practicable.</p> <p>As such, the Secretary of State should be satisfied that the site selection and site design of the proposed offshore wind farm and offshore transmission has been made with a view to avoiding or minimising disruption or economic loss or any adverse effect on safety to other offshore industries. Applicants will be required to demonstrate that risks to safety will be reduced to as low as reasonably practicable.</p> <p>The Secretary of State should not consent applications which pose intolerable risks to safety after mitigation measures have been considered.</p>	<p>As outlined within, Chapter 18: Infrastructure and Other Marine Users (APP-073, activities and infrastructure considered as part of the project include:</p> <p>Offshore renewables;</p> <ul style="list-style-type: none"> <li>▪ Oil and gas infrastructure (including pipelines);</li> <li>▪ Carbon Capture Usage and Storage (CCUS);</li> <li>▪ Subsea cables;</li> <li>▪ Nuclear energy facilities;</li> <li>▪ Coastal and marine wastewater assets;</li> <li>▪ Aggregate dredging licensed areas;</li> <li>▪ Marine disposal sites; and</li> <li>▪ Military areas (note this is covered within Chapter 16: Aviation, Radar and Military Communication (APP-071).</li> </ul> <p>The Order Limit has been refined since scoping with consideration given to minimising disruption, economic loss or any adverse effect on safety. In cases where potential disruption has been identified, The Applicant has, in consultation with relevant operators and where appropriate and feasible, provided mitigation measures to reduce the significance of effects arising. This is discussed further within Chapter 15, (APP-070), Chapter 18 Marine Infrastructure and Other Users (APP-073), with additional embedded mitigation measures. ALARP principles have been applied to the impact assessment methodology for the above chapters.</p> <p>The proposals meet the high-level marine objectives, plan vision, and all relevant policies. However, should the SoS disagree with these conclusions then the Applicant is confident that in line with Paragraph 4.5.12 of EN-1, the NPS prevails for purposes of decision making.</p> <p>In line with Paragraph 4.6.3 of EN-1, the SoS should give appropriate weight to the benefits of the Project when considering the planning balance.</p>
	EN-3 2.8.347	Where a proposed development is likely to affect the future viability or safety of an existing or approved/licensed offshore infrastructure or activity, the Secretary of State should give these adverse effects substantial weight in its decision-making.	Chapter 18 Marine Infrastructure and Other Users (APP-073) considers the potential effects on existing or approved/licensed offshore infrastructure and activities. The assessment demonstrates that there will be no significant effects on viability or safety associated with existing or approved/licensed assets following the implementation of the proposed mitigation.
	EN-3 2.8.348	Providing proposed schemes have been carefully designed, and that the necessary consultation with relevant bodies and stakeholders has been undertaken at an early stage, mitigation measures	Site selection and design is addressed in Chapter 3: Project Description (APP-068) and Chapter 4 Site Selection and Consideration of Alternatives (APP-059).

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>may be possible to negate or reduce effects on other offshore infrastructure or operations to a level sufficient to enable the Secretary of State to grant consent</p>	<p>The Order Limits have been refined since scoping with consideration given to minimising disruption, economic loss or any adverse effect on safety. In cases where potential disruption has been identified, The Applicant has, in consultation with relevant operators, provided appropriate controls to minimise the significance of any effects. Additionally, embedded mitigation measures are also proposed and set out in Chapter 18 Marine Infrastructure and Other Users (APP-073).</p> <p>Embedded mitigation measures outlined in Chapter 16 Aviation, Radar, Military and Communication (APP-071) and along with further mitigation measures.</p>
Seascape and visual effects	EN-3 2.8.349 – 2.8.350	<p>The Secretary of State should assess the proposal in accordance with the policy set out in the landscape and visual impacts Section 5.10 of EN-1.</p> <p>Where an application relates to a proposed development that is at such a distance that it would not be visible from the shore the Secretary of State may conclude that an SLVIA will not be required.</p>	<p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-074) presents an assessment of the potential impacts of the Project on seascape and visual effect receptors.</p>
	EN-3 2.8.350- 2.8.352	<p>Where a proposed offshore wind farm is within sight of the coast, there may be adverse effects. The Secretary of State should not refuse to grant consent for a development solely on the ground of an adverse effect on the seascape or visual amenity unless:</p> <ul style="list-style-type: none"> <li>▪ they consider that an alternative layout within the identified site could be reasonably proposed which would minimise any harm, taking into account other constraints that The Applicant has faced such as ecological effects, while maintaining safety or economic viability of the application; or</li> <li>▪ they take account of the sensitivity of the receptor(s) and impacts on the statutory purposes of designated landscapes as set out in Section 5.10 of EN-1; and decide that the harmful effects outweigh the benefits of the proposed scheme. See also Critical National Priority (Section 3 of EN3).</li> </ul> <p>Where adverse effects are anticipated either during the construction or operational phases, in coming to a judgement, the Secretary of State should consider the extent to which the effects are temporary or reversible.</p>	<p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-074) presents an assessment of the potential impacts of the Project on landscape character areas (LCAs). For ORCPs only, the ES concludes potential significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline.</p> <p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072) presents an assessment of the likely significant effects of the Project on SLVIA receptors. The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The case for proceeding with the Project is justified on the basis of the need for the project including, but not limited to, the urgent need to reduce greenhouse gas emissions in line with the UK Government’s under the Climate Change Act 2008 (as amended), the need for energy security and the Project’s contribution to UK Government stated ambitions through the British Energy Security Strategy (DESNZ, 2022) and Powering Up Britain (HM Government, 2023). The need for the Project is detailed in Chapter 2 of the ES: Need, Policy and Legislative Context (APP-057), the Planning Statement (APP-297) and the Derogation Case (APP-242).</p> <p>Paragraph 3.3.62 of NPS EN-1 sets out that the Government has concluded that there is a critical national priority for the provision of nationally significant low carbon infrastructure, of which offshore wind is a key part. Beyond the principle of offshore wind being needed generally, UK Government targets require a level of deployment such that all currently planned and proposed offshore wind projects are needed. This is captured in NPS EN-1 paragraph 3.2.7 which states that the Secretary of State has determined that substantial weight should be given to the need for new energy NSIPs when considering Planning Act 2008 applications such as this and paragraph 4.2.21</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>which notes the need for a significant number of deliverable locations with no limit placed on the projects which may be consented.</p> <p>EN-1 further notes the ambition of 50GW of offshore wind by 2030 (paragraph 3.3.21), which in practice means the installation of in the region of 2,666 of the larger turbines currently available at a rate of 333 turbines per year. EN-1 (3.3.20) makes clear that a net zero consistent system in 2050 is “likely to be composed predominately of wind and solar” which are “the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply”.</p> <p>As set out above, there is a clear need for the Project, and therefore a clear case for proceeding with the Project.</p>

A coastal landscape featuring a path that winds through a marshy area. The path is light-colored, possibly sandy or covered in a thin layer of snow or ice, and is bordered by tall, dry grasses and shrubs. In the background, there is a flat expanse of water or a beach meeting a cloudy sky. The overall scene is serene and natural.

# Outer Dowsing Offshore Wind

## Project Statements

### Policy Compliance Document

### EN-5 National Policy Statement for electricity networks infrastructure

Date: August 2024

Document reference: 9.1.1

Rev: 2.0

Company:		<b>Outer Dowsing Offshore Wind</b>		Asset:	<b>Whole Asset</b>	
Project:		<b>Whole Wind Farm</b>		Sub Project/Package:	Whole Asset	
Document Title or Description:		Policy Compliance Document				
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Rev No.	Date	Status / Reason for Issue	Author	Checked by	Reviewed by	Approved by
1.0	March 2024	Holding Statement	Outer Dowsing	Outer Dowsing	Outer Dowsing	Outer Dowsing
2.0	August 2024	Response to Rule 17 Letter dated 3 July 2024	SLR	Shepperd & Wedderburn	Outer Dowsing	Outer Dowsing

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## 4 NPS EN-5 Compliance

Table 1: NPS EN-5 Compliance

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-5: Part 1: Introduction			
Background	EN-5 1.1.5	As identified in EN-1, government has concluded that there is a critical national priority (CNP) for the provision of nationally significant low carbon infrastructure. This includes: for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System. These are viewed by the government as being CNP infrastructure and should be progressed as quickly as possible.	As outlined in the response to EN-1 paragraph 3.3.60-3.3.62 the Project is classified as CNP infrastructure.  This is also considered within Section 5 of the Planning Statement (APP-297) which sets out that offshore wind developments like the Project should be viewed as being essential to achieving the UK's net zero emissions target by 2050 and should be progressed as quickly as possible. As such, the role of the Application in meeting a CNP should be attributed significant weight by the SoS during the decision-making process.
EN-5 Part 1.6: Infrastructure covered by this NPS			
Infrastructure covered by this NPS	EN-5 1.6.1	Infrastructure for electricity networks generally can be divided into two main elements: <ul style="list-style-type: none"> <li>transmission systems (the long-distance transfer of electricity through 400kV and 275kV lines), and distribution systems (lower voltage lines from 132kV to 230V from transmission substations to the end-user) which can either be carried on towers/monopoles or undergrounded; and</li> <li>associated infrastructure, e.g., substations (the essential link between generation, transmission, and the distribution systems that also allows circuits to be switched or voltage transformed to a useable level for the consumer) and converter stations to convert DC power to AC power and vice versa. These are particularly relevant to the conversion of long-distance offshore DC transmission to AC, when it arrives onshore for distribution.</li> </ul>	The Project comprises transmission infrastructure which will transmit the electricity generated by the wind turbines offshore to the grid via offshore substations, cable circuits and an onshore substation as set out in Chapter 3 Project Description (APP-058).  A detailed description of cable details associated within the Project is contained within the Cable Statement (APP-299)  Further commentary is provided within the following documents: <ul style="list-style-type: none"> <li>Volume 3, Appendix 3.1 Cable Burial Risk Assessment (APP-142)</li> <li>The Outline Cable Specification and Installation Plan (APP-278).</li> </ul>
	EN-5 1.6.2 – 1.6.5	This NPS covers above ground electricity lines: <ul style="list-style-type: none"> <li>whose nominal voltage is expected to be 132kV or above (other than a 132kV line associated with the construction or extension of a devolved Welsh generating station);</li> <li>whose length is greater than 2km;</li> <li>that are not a replacement line falling within Section 16(3)(ab) of the 2008 Act; and</li> <li>that are not otherwise exempted for reasons set out in Sections 16(3)(b) and (c), (3A) and (3B) of the 2008 Act.</li> </ul> <p>It should be noted that electricity networks infrastructure is often referred to as 'grid' infrastructure by many and that term is used in other NPSs. In EN-5 the term 'electricity networks' is used.</p> <p>In addition, this NPS will apply to other kinds of electricity networks infrastructure (including offshore transmission of any type (defined at section 2.12.4), underground cables at any voltage, associated infrastructure as referred to above) and lower voltage overhead lines, where that infrastructure becomes subject to the 2008 Act in the following circumstances:</p>	The Project does not comprise any above ground electricity lines.  Connection to the National Grid will be via 400kV cables which will run underground between the OnSS and the National Grid substation (NGSS) which will be built, owned, and operated by National Grid Electricity Transmission (NGET) and is anticipated to be located within, or near to, an area identified by the Project as the "Connection Area" as shown in Chapter 3 Project Description Figures Figure 3.4 (APP-089).  The transmission infrastructure will comprise offshore export cables located within the offshore ECC running from the Array Area to landfall on the Lincolnshire Coast, onshore export cables will transmit electricity to the onshore ECC and 400kV cables will connect the OnSS to the NGSS.  This Application is made under the 2008 Act and the policy requirements of EN-5 have also been addressed within the Planning Statement.

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		<p>i. if it constitutes associated development for which consent is sought along with an NSIP such as an offshore wind generating station or relevant overhead line; or</p> <p>ii. if the Secretary of State gives a direction under Section 35 of the 2008 Act (for developments which, when completed, will be wholly in one or more of the areas specified in subsection 35(3)) that it should be treated as an NSIP and requires a DCO.</p> <p>In recognition of the substantial amount of new offshore transmission and associated infrastructure being brought forward for consent, some of which may be subject to the 2008 Act, as above, and its connection to the onshore network, this NPS includes policy on offshore-onshore transmission in sections 2.12 – 2.15.</p>	
Part 2: Assessment and Technology Specific Information			
Factors influencing site selection and design	EN-5 2.2.1 – 2.2.3	<p>The Secretary of State should bear in mind that the initiating and terminating points – or development zone – of new electricity networks infrastructure is not substantially within the control of The Applicant.</p> <p>Siting is determined by:</p> <ul style="list-style-type: none"> <li>▪ the location of new generating stations or other infrastructure requiring connection to the network, and/or</li> <li>▪ system capacity and resilience requirements determined by the ESO.</li> </ul> <p>These twin constraints, coupled with the government’s legislative commitment to net zero by 2050, strategic commitment to new interconnectors with neighbouring North Seas countries and an ambition of up to 50GW of offshore wind generation by 2030, means that very significant amounts of new electricity networks infrastructure are required, including in areas with comparatively little build-out to date.</p>	<p>To a great extent the export cable routing and the onshore substation siting has been predominantly driven by the OTNR and HND process.</p> <p>The Applicant has followed a robust site selection process that has considered and balanced the identified site selection considerations and the policies in relation to good design and mitigation as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) In turn, this has resulted in a scheme that will make a substantial contribution to the national energy targets and contributing towards the targets and objectives of the British Energy Security Strategy, whilst also being efficient in terms of the overall amount of network infrastructure required for the Project.</p> <p>Please see the Applicant’s response to sections 2.4-2.9 below.</p>
	EN-5 2.2.4-2.2.6	<p>However, a strategic and holistic approach to onshore and offshore network planning, as set out in paragraphs 2.7 – 2.8, will identify the most efficient way of meeting decarbonisation targets, and should reduce the overall amount of network infrastructure required.</p> <p>Additionally, applicants retain control in managing the identification of routing and site selection between the identified initiating and terminating points or within the development zone.</p> <p>Moreover, the locational constraints identified above do not, of course, exempt applicants from their duty to consider and balance the site-selection considerations set out below, much less the policies on good design and impact mitigation detailed in sections 2.4-2.9.</p>	
	EN-5 2.2.7	<p>The connection between the initiating and terminating points of a proposed new electricity line will often not be via the most direct route. Siting constraints, such as engineering, environmental or community considerations will be important in determining a feasible route.</p>	
	EN-5 2.2.8 – 2.2.9	<p>There will usually be a degree of flexibility in the location of the development’s associated substations, and applicants should consider carefully, their location, as well as their design.</p>	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>In particular, the applicant should consider such characteristics as the local topography, the possibilities for screening of the infrastructure and/or other options to mitigate any impacts. (See Section 2.10 below and Section 5.10 in EN-1.)</p>	<p>approach allows consideration of the ‘worst case’ scenario based on the maximum parameters defined for the Project at the application stage, which are detailed within Chapter 3: Project Description (APP-058).</p> <p>As noted in the Inspectorate Advice Note Nine (The Planning Inspectorate, 2018), the Rochdale Envelope approach or design envelope approach, is widely recognised as appropriate and will be employed where the developer may not know the exact specifications of infrastructure that will comprise the proposed project.</p> <p>The siting of the onshore elements of the Project has been a key consideration for the Applicant. As outlined in Chapter 28 Landscape and Visual Assessment (APP-075), the local topography and landscape scale has influenced the design of the Project. In addition, The Applicant has produced an OLEMS (APP-284) that includes measures to screen the onshore elements of the Project.</p> <p>The site selection process has been iterative (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)) which has ensured sensitive landscape elements like woodlands, trees and hedgerows have been avoided where practically possible.</p>
	<p>EN-5 2.2.10 – 2.2.11</p>	<p>As well as having duties under Section 9 of the Electricity Act 1989, (in relation to developing and maintaining an economical and efficient network), applicants must take into account Schedule 9 to the Electricity Act 1989, which places a duty on all transmission and distribution licence holders, in formulating proposals for new electricity networks infrastructure, to “have regard to the desirability of preserving natural beauty, of conserving flora, fauna and geological or physiographical features of special interest and of protecting sites, buildings and objects of architectural, historic or archaeological interest; and ...do what [they] reasonably can to mitigate any effect which the proposals would have on the natural beauty of the countryside or on any such flora, fauna, features, sites, buildings or objects.”</p> <p>Depending on the location of the proposed development, statutory duties under Section 85 of the Countryside and Rights of Way Act 2000, Section 11A of the National Parks and Access to the Countryside Act 1949 (as amended by Section 62 of the Environment Act 1995), and Section 17A of the Norfolk and Suffolk Broads Act 1988 may be relevant. Applicants should note amendments to each of these provisions contained in Section 245 of the Levelling Up and Regeneration Act 2023.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines how the Project has had due regard to Schedule 9 of the Electricity Act 1989 in selecting the area of search for the 400kV connection.</p> <p>The chapter also demonstrates how the Site Selection and Design process has been iterative, through constraints mapping, assessment and ongoing consultation, with the overarching aim to minimise impacts on the environment and communities whilst ensuring that the lowest cost of energy will be passed to consumers.</p> <p>The Applicant has aimed to minimise impacts on sensitive features through the adoption of a ‘design envelope’ approach, or the ‘Rochdale Envelope’ approach (The Planning Inspectorate, 2018) which assesses a worst case-scenarios to allow for flexibility.</p> <p>The Planning Statement (APP-297) outlines how the Applicant has considered good design and complied with the requirements of EN-5.</p> <p>Design considerations are also contained within:</p> <ul style="list-style-type: none"> <li>▪ Design Approach Document (APP-292); and</li> <li>▪ Design Principles Statement (APP-293).</li> </ul> <p>Mitigation measures to minimise the impacts are contained within the Schedule of Mitigation (APP-287) which lists all measures proposed on a topic-by-topic basis, signposts where the commitments are made in the ES and how they are secured within the draft Development Consent Order (DCO) &amp; Deemed Marine Licence (dML) and associated documents.</p> <p>Offshore ecological enhancements are considered in the following ES chapters:</p> <ul style="list-style-type: none"> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish Ecology (APP-065);</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<ul style="list-style-type: none"> <li>▪ Chapter 11: Marine Mammals (APP-066); and</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067).</li> </ul> <p>Regarding onshore landscape and visual impacts outlined within Chapter 28: Landscape and Visual Assessment (APP-083) is concluded there will be significant effects, however, such impacts will be temporary in nature and localised. The Applicant has made several commitments to minimise landscape impacts which includes adherence to a CoCP, which will accord with the Outline CoCP submitted (APP-268) which contains measures to reduce temporary disturbance and incorporation of good practice measures and the OLEMS (APP-284) which out the landscape and ecological elements of the Project.</p> <p>With offshore landscape and visual impacts a full assessment has bene submitted as part of Chapter 17: Seascape, Landscape and Visual (APP-072). This chapter has assessed a number of impacts during all phases of the project (construction, operation and maintenance and decommissioning) including the impact of the array areas upon the seascape character and the characteristics of the designated landscapes. The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p>
EN-5 Part 2.3 – Climate change adaption and resilience			
Climate change adaptation and resilience	EN-5 2.3.1 – 2.3.2	<p>Section 4.10 of EN-1 sets out the generic considerations that applicants and the Secretary of State should take into account in order to ensure that electricity networks infrastructure is resilient to the effects of climate change.</p> <p>As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to:</p> <ul style="list-style-type: none"> <li>▪ flooding, particularly for substations that are vital to the network; and especially in light of changes to groundwater levels resulting from climate change;</li> <li>▪ the effects of wind and storms on overhead lines;</li> <li>▪ higher average temperatures leading to increased transmission losses;</li> <li>▪ earth movement or subsidence caused by flooding or drought (for underground cables); and</li> <li>▪ coastal erosion – for the Landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.</li> </ul>	Please see the Applicant’s response to section 4.10, 5.6 and 5.8 of EN-1.
	EN-5 2.3.3	Section 4.10 of EN-1 advises that the resilience of the Project to the effects of climate change must be assessed in the ES accompanying an application. For example, future increased risk of flooding would be covered in any flood risk assessment (see Sections 5.8 in EN-1). Consideration should also be given to coastal change (see sections 5.6 in EN-1).	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
EN-5 Part 2.4: Consideration of good design for energy infrastructure			
Consideration of good design for energy infrastructure	EN-5 2.4.1 – 2.4.4	<p>The Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, and in determining applications for development consent to the desirability of good design.</p> <p>Applicants should consider the criteria for good design set out in EN-1 Section 4.7 at an early stage when developing projects.</p> <p>However, the Secretary of State should bear in mind that electricity networks infrastructure must in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant’s ability to influence the aesthetic appearance of that infrastructure.</p> <p>While the above principles should govern the design of an electricity networks infrastructure application to the fullest possible extent – including in its avoidance and/or mitigation of potential adverse impacts (particularly those detailed in Sections 2.9 below) – the functional performance of the infrastructure in respect of security of supply and public and occupational safety must not thereby be threatened.</p>	<p>Please see the Applicant’s response to EN-1 section 4.7.</p> <p>As demonstrated within the Planning Statement (APP-297), the Project will play a significant role in meeting demand and decarbonising the energy system and assisting the government in meeting their aims. The Project has assessed impacts that have been agreed and scoped in/out throughout the lifetime of ODOW. This process was undertaken through the Scoping Report and subsequent Scoping Opinion received and engagement with stakeholders.</p> <p>The Project design and location has been based on early engagement with key stakeholders (such as Defra), the public and a range of environmental and technical appraisals. Whilst aspects of the Project’s location are constrained (including the Array Area which is based on the Round 4 leasing process which offers seabed rights in particular areas), the Project as presented is sustainable and both functional as well as well-designed. Notwithstanding this, the Applicant has sought, through consultation and iterative design, to minimise all environmental impacts as far as is practicable, whilst retaining an economically viable project</p> <p>Further design considerations of relevance to the offshore design are set out in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p> <p>The Applicant has considered good design considerations of relevance to the Project includes layout descriptions, landscaping and appearance of the proposed Onshore infrastructure including the onshore cable route and OnSS. Additional detail of the potential reinstatement of the onshore cable route and screening proposals for the OnSS is set out within the OLEMS (APP-284).</p>
EN-5 Part 2.5: Environmental and Biodiversity Net Gain			
Environmental and Biodiversity Net Gain	EN-5 2.5.1	<p>When planning and evaluating the proposed development’s contribution to environmental and biodiversity net gain, it will be important – for both The Applicant and the Secretary of State – to supplement the generic guidance set out in EN-1 (Section 4.6) with recognition that the linear nature of electricity networks infrastructure can allow for excellent opportunities to:</p> <ul style="list-style-type: none"> <li>i. reconnect important habitats via green corridors, biodiversity stepping zones, and reestablishment of appropriate hedgerows; and/or</li> <li>ii. connect people to the environment, for instance via footpaths and cycleways constructed in tandem with environmental enhancements.</li> </ul>	<p>A Biodiversity Net Gain Report Principles and Approach (APP-302) has been prepared which outlines the commitment of the Applicant to providing BNG and identifies the onsite and offsite opportunities being proposed/ investigated.</p> <p>The Applicant is committed to Environmental Stewardship and, on top of mitigating adverse impacts on the environment as much as possible, is intent on leaving the environment in a measurably better state than before. Through the adoption of trenchless techniques, hedgerow loss has been significantly reduced.</p> <p>The proposed hedgerow and woodland planting around the onshore substation will strengthen lines of existing field boundaries, connecting new planting to established hedgerows and tree cover in the area, thereby improving green corridors.</p> <p>The Applicant is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p> <p>An initial BNG appraisal was included within the Biodiversity Net Gain Report Principles and Approach (APP-302) at the time of DCO application.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			Please see the Applicant’s response to Section 4.6 of EN-1 , for further information on how the Project addresses BNG.
<b>Part 2.6: Land Rights and Land Interests</b>			
Land Rights and Land Interests	EN-5 2.6.1 -2.6.5	<p>In order to be lawfully able to install, inspect, maintain, repair, adjust, alter, replace or remove an electricity line (above or below ground), its related equipment (such as monopoles, pylons/transmission towers, transformers and cables), and/or its associated mitigation or enhancement schemes, applicants must:</p> <ol style="list-style-type: none"> <li>I. own the land on, over, or under which the relevant activity is to take place; or</li> <li>II. hold sufficient rights over or interests in that land (typically in the form of an easement); or</li> <li>III. have permission for the activity from the present owner or occupier of that land (typically in the form of a wayleave)</li> </ol> <p>Where The Applicant does not own or wish to own the land in question, it should try to reach a voluntary agreement giving it sufficient rights and/or permissions to undertake the relevant work.</p> <p>As a last resort, where it does not succeed in reaching the agreement that it requires, the network company may, as part of its application to the Secretary of State, seek to acquire rights compulsorily over the land in question by means of a provision in the DCO.</p> <p>In such cases (i.e. where the compulsory acquisition of rights is sought) permanent arrangements are strongly preferred over voluntary wayleaves (which could, for example, be terminable on notice by the landowner) in virtue of their greater reliability and economic efficiency and reflecting the importance of the relevant infrastructure to the nation’s net zero goals.</p> <p>The Applicant may also seek the compulsory acquisition of land. This will not normally be necessary where lines and cables are installed but may be sought where other forms of electricity networks infrastructure (such as new substations) are required.</p>	<p>The Applicant has sought to enter into voluntary agreements for all of the land and rights required to facilitate the Project. The status of negotiations is shown in Appendix 4 of the Statement of Reasons (APP-031)</p> <p>The draft DCO (APP-303) seeks powers to compulsorily acquire land and new rights (both temporary and permanent) for purposes of the construction and operation of the authorised project in line with statutory regulations.</p> <p>Compulsory acquisition rights have been included within the DCO to ensure the development can be facilitated.</p> <p>The Book of Reference describes the land and identifies the interests, affected by the Project.</p> <p>The Statement of Reasons (APP-031) outlines the powers of compulsory acquisition sought by the Project and has been prepared in accordance with the requirements of Regulation 5(2)(h) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations), the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 and the Communities and Local Government Guidance ‘Planning Act 2008: Guidance related to procedures for compulsory acquisition’ (Compulsory Acquisition Guidance), all as amended.</p> <p>The Statement of Reasons (APP-031) also sets out powers sought by the applicant, which include:</p> <ul style="list-style-type: none"> <li>▪ Street works;</li> <li>▪ Temporary stopping up of PRoWs;</li> <li>▪ Temporary stopping of streets;</li> <li>▪ Discharge of Water;</li> <li>▪ Authority to survey and investigate the land onshore;</li> <li>▪ Private rights;</li> <li>▪ Rights under or over streets;</li> <li>▪ Temporary use of land for carrying out the authorised project;</li> <li>▪ Temporary use of land for maintain the authorised project;</li> <li>▪ Felling or lopping of trees and removal of hedgerows; and</li> <li>▪ Trees subject to tree preservation orders.</li> </ul> <p>The Applicant’s rationale and justification for seeking powers of compulsory acquisition are set out within the Statement of Reasons (APP-043) as discussed. The Applicant considers that there is a clear and compelling case in the public interest for the inclusion of powers of compulsory acquisition within the Order to secure the land and interests which are required for the Project. The public benefit of allowing the project to proceed outweighs the infringement of private rights which would occur should powers of compulsory acquisition be granted and exercised.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
	EN-5 2.6.6 – 2.6.7	<p>As detailed in Section 4.1.8 of EN-1, where the use of land at a specific location is required to facilitate the development by providing for mitigation, landscape enhancement and biodiversity net gain, an applicant may, as part of its application to the Secretary of State, seek the compulsory acquisition of that land, or rights over that land. The Secretary of State will consider any such application under the provisions of the Planning Act 2008 and any associated guidance.</p> <p>Ahead of securing land rights or interests for transmission infrastructure development itself, an applicant will, in many cases, need to obtain access to land to conduct technical and environmental surveys to inform their development proposals. Some of these will be seasonal species surveys meaning there are limited opportunities during the course of the year in which they can be undertaken; timely access for surveys can have a significant impact on overall project timelines.</p>	<p>Please see the Applicant’s response to section 4.1.8 of EN-1.</p> <p>Obtaining access to land to undertake technical/environmental surveys is discussed within Section 6.4.2 within the Statement of Reasons (APP-031).</p> <p>Access for surveys was agreed either via voluntary licence agreement or informal agreement with affected parties.</p> <p>Where agreement for survey access could not be reached, access having been denied, section 172 Housing and Planning Act 2016 notices were served</p>
<b>Part 2.7: Holistic Approach</b>			
Holistic Planning	EN-5 2.7.1 – 2.7.5	<p>EN-1 explains in Section 4.10 that the Planning Act 2008 aims to create a holistic planning regime, such that the cumulative effects of the same project can be considered together. Co-ordinated applications typically bring economic efficiencies and reduced environmental impact.</p> <p>Accordingly, the government envisages that, wherever reasonably possible, applications for new generating stations and their related infrastructure should be contained in a single application to the Secretary of State. However, a consolidated approach of this kind may not always be possible, nor represent the most efficient strategy for delivery of new infrastructure. This could be, for example, due to the differing lengths of time needed to prepare the applications for submission to the Secretary of State, or because a network application relates to multiple generation projects (which could be onshore or offshore), or because the works involved are strategic reinforcements required for a number of reasons.</p> <p>It may also be the case that the networks infrastructure application and the application for a related generating station will of necessity come from different legal entities, or from entities subject to different commercial and regulatory frameworks.</p> <p>It will also be common for applications to be submitted for the general purpose of reinforcing the network, which will be critical to deliver especially in light of the drive towards net zero, including the ambition for up to 50GW of offshore wind by 2030, and a CNP (see EN-3).</p>	<p>Please see the Applicant’s response to section 4.10 of EN-1 and section 2.8.34-2.8.43 of EN-3.</p> <p>The Project consists of a generating station together with the related infrastructure.</p>
<b>Part 2.8: Strategic Network Planning</b>			
Strategic Network Planning	EN-5 2.8.1 – 2.8.7	<p>A more strategic approach to network planning will ensure that network development keeps pace with renewable generation and anticipates future system needs. Strategic network planning, such as through the Holistic Network Design and its follow up exercises or through forthcoming Centralised Strategic Network plans, helps reduce the overall impact of infrastructure by identifying opportunities for coordination, where appropriate, and taking a holistic view of both the onshore and offshore network. Network plans will take account of environmental and community impacts, alongside deliverability and economic cost, from the outset.</p> <p>A strategic approach to network planning proposed through the Centralised Strategic Network Planning (CSNP) process will identify strategic investments intended to facilitate achieving net zero and decarbonisation targets.</p> <p>In these cases (i.e. where the application is a reinforcement project in its own right and does not accompany an application for a generating station, or is not underpinned by a</p>	<p>The grid connection options (and therefore to a great extent the export cable routing and OnSS siting) has been predominantly driven by the Offshore Transmission Network Review (OTNR) which was launched by UK Government in July 2020. The OTNR evaluated grid connection options for all Round 4 projects, leading to a Holistic Network Design (HND) and identification of specific grid connection options for the Project.</p> <p>Whilst the Applicant has engaged with the HND throughout the development process and provided information where necessary/requested and progressed a number of options for the grid connection and associated cable route and substation sites, in March 2022 Ofgem confirmed that the connection for the Project should be a radial connection. As such, the Project has no opportunities for coordination.</p>

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		<p>contractually-supported agreement to provide an as-yet-unconsented generating station with a connection), the Secretary of State should have regard to the need case for new electricity networks infrastructure set out in Section 3.3 of EN-1.</p> <p>The Secretary of State should also take into account that Transmission Owners (TOs) and Distribution Network Operators (DNOs) are required under Section 9 of the Electricity Act 1989 to bring forward efficient and economical proposals in terms of network design. TOs and DNOs are also required to facilitate competition in the generation and supply of electricity, and electricity distributors have a statutory duty to provide a connection where requested.</p> <p>Given that individual electricity lines are only component parts of a country-spanning network, it may arise that a single application covers works to be undertaken at different geographical locations.</p> <p>Where it can be demonstrated that such a set of works will reinforce the network as a whole, or reinforce the network to accommodate a subset of new connections, the Secretary of State should be willing – in line with the need statement set out in Section 3.3 of EN-1 – to accept an application seeking development consent for the entire set of works.</p> <p>Applicants should ensure that any such applications are kept to a scale which they can manage within the statutory timescales and discuss putative applications of this kind with the Planning Inspectorate before formally submitting an application.</p>	
<b>Part 2.9: Applicant Assessment</b>			
Biodiversity and Geological Conservation	EN-5 2.9.3 – 2.9.6	<p>Electricity networks infrastructure pose a particular potential risk to birdlife including large birds, such as swans and geese, and perching birds. These may collide with overhead lines and risk being electrocuted. Large birds may also be electrocuted when landing or taking off by completing an electric circuit between live and ground wires. Even perching birds can be killed as soon as their wings touch energised parts of the infrastructure.</p> <p>Applicants should consider measures to make lines more visible such as bird flappers and diverters which are covered in more detail in paragraphs 2.10.3 and 2.10.4. The Applicant will need to consider whether the proposed line will cause such problems at any point along its length and take this into consideration in the preparation of the ES (see Section 4.3 of EN-1).</p> <p>Particular consideration should be given to feeding and hunting grounds, migration corridors and breeding grounds, where they are functionally linked to sites designated or allocated under the ‘national site network’ provisions of the Conservation of Habitats and Species Regulations.</p>	The Applicant has committed to burying all cables underground, therefore, the Project poses no risk to birdlife in terms of colliding with overhead line.
Landscape and Visual Impact	EN-5 2.9.7 – 2.9.10	While the government does not believe that the development of overhead lines is incompatible in principle with applicants’ statutory duty under Schedule 9 to the Electricity Act 1989, to have regard to visual and landscape amenity and to reasonably mitigate possible impacts thereon, in practice new overhead lines can give rise to adverse landscape and visual impacts.	<p>The Applicant has committed to burying all onshore cables underground,, thereby minimising landscape and visual effects. Chapter 28 Landscape and Visual Assessment (APP-083) has assessed the effects of the underground onshore ECC and OnSS and as such etc. can be considered to be in accordance with paragraphs 2.9.7-2.9.10 of EN-5.</p> <p>The Applicant has also committed to using Trenchless techniques where practically possible, avoiding the physical and visual effects associated with open cut trenching across</p>

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		<p>These impacts depend on the type (for example, whether lines are supported by towers or monopole structures), scale, siting, and degree of screening of the lines, as well as the characteristics of the landscape and local environment through which they are routed.</p> <p>New substations, sealing end compounds (including terminal towers), and other above-ground installations that serve as connection, switching, and voltage transformation points on the electricity network may also give rise to adverse landscape and visual impacts.</p> <p>Cumulative adverse landscape, seascape and visual impacts may arise where new overhead lines are required along with other related developments such as substations, wind farms, and/or other new sources of generation.</p>	<p>a substantial length of the ECC route (see Chapter 4 Site Selection and Consideration of Alternatives (APP-059)).</p>
	EN-5 2.9.16 – 2.9.17	<p>The Holford Rules – guidelines for the routing of new overhead lines – were originally set out in 1959. These guidelines, intended as a common-sense approach to overhead line route design, were reviewed and updated by the industry in the 1990s, and they should be embodied in The Applicants’ proposals for new overhead lines.</p> <p>In brief, the Holford Rules state that applicants should:</p> <ul style="list-style-type: none"> <li>▪ avoid altogether, if possible, the major areas of highest amenity value, by so planning the general route of the line in the first place, even if total mileage is somewhat increased in consequence;</li> <li>▪ avoid smaller areas of high amenity value or scientific interest by deviation, provided this can be done without using too many angle towers, i.e. the bigger structures which are used when lines change direction;</li> <li>▪ other things being equal, choose the most direct line, with no sharp changes of direction and thus with fewer angle towers;</li> <li>▪ choose tree and hill backgrounds in preference to sky backgrounds wherever possible. When a line has to cross a ridge, secure this opaque background as long as possible, cross obliquely when a dip in the ridge provides an opportunity. Where it does not, cross directly, preferably between belts of trees;</li> <li>▪ prefer moderately open valleys with medium or moderate levels of tree cover where the apparent height of towers will be reduced, and views of the line will be broken by trees;</li> <li>▪ where country is flat and sparsely planted, and unless specifically preferred otherwise by relevant stakeholders, keep the high voltage lines as far as possible independent of smaller lines, converging routes, distribution poles and other masts, wires and cables, so as to avoid a concentration of lines or ‘wirescape’; and</li> <li>▪ approach urban areas through industrial zones, where they exist; and when pleasant residential and recreational land intervenes between the approach line and the substation, carefully assess the comparative costs of undergrounding.</li> </ul>	<p>The Applicant’s decision to bury all onshore cables underground was guided by the ‘Holford Rules’ set out by National Grid, which provide best practice for the consideration of relevant constraints associated with the siting of electricity network infrastructure. This is discussed within Section 1.6 of Chapter 4: Site Selection and Consideration of Alternatives (APP-059) in relation to for connection to the National Grid substation connection point.</p>
	EN-5 2.9.18 – 2.9.19	<p>The Horlock Rules – guidelines for the design and siting of substations – were established by National Grid in 2009 in pursuance of its duties under Schedule 9 to the Electricity Act 1989. These principles should be embodied in applicants’ proposals for the infrastructure associated with new overhead lines.</p> <p>In brief, the Horlock Rules state that applicants should:</p> <ul style="list-style-type: none"> <li>▪ consider environmental issues from the earliest stage to balance the technical benefits and capital cost requirements for new developments against the consequential</li> </ul>	<p>As outlined with Chapter 4 Site Selection and Consideration of Alternatives (APP-059), For the OnSS site selection, reference has been made to the National Grid Guidelines on Substation Siting and Design (‘The Horlock Rules’) (National Grid, undated(a)).</p> <p>In respect of the OnSS, several design principles have been adopted asset out in Table 3.1 of the Design Principles Statement (APP-293) and include:</p> <ul style="list-style-type: none"> <li>▪ The siting of the OnSS has been selected based on engineering and environmental considerations, alongside the ability for the OnSS to be effectively screened;</li> </ul>

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		<p>environmental effects in order to keep adverse effects to a reasonably practicable minimum.</p> <ul style="list-style-type: none"> <li>▪ seek to avoid altogether internationally and nationally designated areas of the highest amenity, cultural or scientific value by the overall planning of the system connections.</li> <li>▪ protect as far as reasonably practicable areas of local amenity value, important existing habitats and landscape features including ancient woodland, historic hedgerows, surface and ground water sources and nature conservation areas.</li> <li>▪ take advantage of the screening provided by land form and existing features and the potential use of site layout and levels to keep intrusion into surrounding areas to a reasonably practicable minimum.</li> <li>▪ keep the visual, noise and other environmental effects to a reasonably practicable minimum.</li> <li>▪ consider the land use effects of the proposal when planning the siting of substations or extensions.</li> <li>▪ consider the options available for terminal towers, equipment, buildings and ancillary development appropriate to individual locations, seeking to keep effects to a reasonably practicable minimum.</li> <li>▪ use space effectively to limit the area required for development consistent with appropriate mitigation measures and to minimise the adverse effects on existing land use and rights of way, whilst also having regard to future extension of the substation.</li> <li>▪ make the design of access roads, perimeter fencing, earth-shaping, planting and ancillary development an integral part of the site layout and design, so as to fit in with the surroundings.</li> <li>▪ in open landscape especially, high voltage line entries should be kept, as far as possible, visually separate from low voltage lines and other overhead lines so as to avoid a confusing appearance.</li> <li>▪ study the inter-relationship between towers and substation structures and background and foreground features so as to reduce the prominence of structures from main viewpoints. Where practicable the exposure of terminal towers on prominent ridges should be minimised by siting towers against a background of trees rather than open skylines.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Operational equipment and mitigation measures will be designed and installed to maintain agreed noise levels at residential properties;</li> <li>▪ The drainage scheme aims to avoid increasing flood risk or discharge rates to watercourses; and</li> <li>▪ The Applicant has taken on board the feedback from stakeholders and the local communities to deliver the Project in best possible way.</li> </ul> <p>Further information regarding design is also contained within the Design Approach Document (APP-292), which outlines how the various elements of the project have been integrated into a holistic design, how the design has evolved and how the project will add value by positively creating a sense of place as defined by the National infrastructure Commission guidance</p>
Undergrounding and Subsea cables	EN-5 2.9.20 – 2.9.22	<p>Although it is the government’s position that overhead lines should be the strong starting presumption for electricity networks developments in general, this presumption is reversed when proposed developments will cross part of a nationally designated landscape (i.e. National Park, The Broads, or Area of Outstanding Natural Beauty). In these areas, and where harm to the landscape, visual amenity and natural beauty of these areas cannot feasibly be avoided by re-routing overhead lines, the strong starting presumption will be that The Applicant should underground the relevant section of the line. However, undergrounding will not be required where it is infeasible in engineering terms, or where the harm that it causes (see section 2.11.4) is not outweighed by its corresponding landscape, visual amenity and natural beauty benefits. Regardless of the option, the scheme through its design, delivery, and operation, should seek to further the statutory purposes of the designated landscape. These enhancements may go beyond the mitigation measures needed to minimise the adverse effects of the scheme.</p>	The Applicant has committed to burying all onshore cables underground.
Noise and Vibration	EN-5 2.9.39 – 2.9.43	For the assessment of noise from substations, standard methods of assessment and interpretation using the principles of the relevant British Standards are satisfactory.	The British Standards utilised are set out in section 26.2.5 of Chapter 26 Onshore Noise and Vibration (APP-081).

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		<p>For the assessment of noise from overhead lines, The Applicant must use an appropriate method to determine the sound level produced by the line in both dry and wet weather conditions, in addition to assessing the impact on noise-sensitive receptors.</p> <p>For instance, The Applicant may use an appropriate noise modelling tool or tools for the prediction of overhead line noise and its propagation over distance, such as an ISO 9613-2 or Technical Report TR(T).</p> <p>When assessing the impact of noise generated by overhead lines in wet weather relative to existing background sound levels, The Applicant should consider the effect of varying background sound levels due to rainfall.</p> <p>The Secretary of State is likely to regard it as acceptable for The Applicant to use a methodology that demonstrably addresses these criteria.</p>	<p>The Applicant has committed to burying all onshore cables underground and therefore has not carried out an assessment of noise from overhead lines.</p>
Electric and Magnetic Fields (EMFs)	EN-5 2.9.44 – 2.9.45	<p>Power frequency EMFs arise from generation, transmission, distribution and use of electricity and will occur around power lines and electric cables and around domestic, office or industrial equipment that uses electricity.</p> <p>EMFs comprise electric and magnetic fields. Electric fields are the result of voltages applied to electrical conductors and equipment. Fences, shrubs and buildings easily block electric fields. Magnetic fields are produced by the flow of electric current; however, unlike electric fields, most materials do not readily block magnetic fields. The intensity of both electric fields and magnetic fields diminishes with increasing distance from the source.</p>	<p>The Project utilises underground cables and although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. The project will be designed such that all electrical infrastructure will remain below negligible levels in line with the International Commission Non-Ionising Radiation Protection (ICNIRP) guidelines (2020).</p> <p>The need to assess EMF’s on human health was scoped out of the assessment by the Planning Inspectorate within the Scoping Opinion (Planning Inspectorate, November 2022).</p>
	EN-5 2.9.46 – 2.9.47	<p>All overhead power lines produce EMFs. These tend to be highest directly under a line and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, they still produce magnetic fields, which are highest directly above the cable. EMFs can have both direct and indirect effects on human health, aquatic and terrestrial organisms.</p> <p>The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a microshock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible to being an annoyance or even painful.</p>	<p>The scoping opinion required the Applicant to consider effects on benthic ecology receptors with regard to EMF impacts. This is the only chapter EMFs have been scoped into. Section 9.7 of Chapter 9: Benthic and Intertidal Ecology and concludes that EMFs would have a negligible impact on benthic receptors. This is following mitigation proposed, which includes the commitment where possible to bury cables underground to reduce EMF impacts on sensitive receptors and to minimise the requirement for cable protection. See the document below for further information:</p> <ul style="list-style-type: none"> <li>▪ Cable Risk Burial Assessment (APP-142) and;</li> <li>▪ Outline Cable Specification and Installation Plan (APP-278).</li> </ul>
	EN-5 2.9.48 – 2.9.50	<p>To prevent these known effects, the International Commission on Non-Ionizing Radiation Protection (ICNIRP) developed health protection guidelines in 1998 for both public and occupational exposure. These are expressed in terms of the induced current density in affected tissues of the body, ‘basic restrictions’, and in terms of measurable ‘reference levels’ of electric field strength (for electric fields), and magnetic flux density (for magnetic fields). The relationship between the (measurable) electric field strength or magnetic flux density and induced current density in body tissues requires complex dosimetric modelling.</p> <p>The reference levels are such that compliance with them will ensure that the basic restrictions are not reached or exceeded. Exceeding the reference levels does not necessarily mean that the basic restrictions will not be met; this would be a trigger for further investigation into the specific circumstances.</p> <p>For protecting against indirect effects, the ICNIRP 2020 guidelines give an electric field reference of 5kV m<sup>-1</sup> for the general public and keeping electric fields below this level would reduce the occurrence of adverse indirect effects for most individuals to acceptable levels. When this level is exceeded, there is a suite of measures that may be called upon in particular situations, including provision of information, earthing and screening, alongside limiting the field. In some situations, there may be no reasonable way of eliminating indirect effects.</p>	

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	EN-5 2.9.51 – 2.9.53	<p>The levels of EMFs produced by power lines in normal operation are usually considerably lower than the ICNIRP 2020 reference levels. For electricity substations, the EMFs close to the sites tend to be dictated by the overhead lines and cables entering the installation, not the equipment within the site.</p> <p>The Stakeholder Advisory Group on extremely low frequency electric and magnetic fields (ELF EMFs) (SAGE) was set up to provide advice to government on possible precautionary measures that might be needed to limit public exposure to electric and magnetic fields associated with electricity supply. The government response to recommendations made in SAGE’s first interim assessment sets out those measures that will be taken as a result of the recommendations.</p> <p>The National Institute for Health Protection’s (NIHP) Centre for Radiation, Chemical and Environmental Hazards (CRCE) provides advice on standards of protection for exposure to non-ionizing radiation, including the ELF EMFs arising from the transmission and use of electricity.</p>	
	EN-5 2.9.54 – 2.9.58	<p>In March 2004, the National Radiological Protection Board (now part of NIHP CRCE), published advice on limiting public exposure to electromagnetic fields. The advice recommended the adoption in the UK of the EMF exposure guidelines published by ICNIRP in 2020.</p> <p>These guidelines also form the basis of the Control of Electromagnetic Fields at Work Regulations 2016. Resulting from these recommendations, government policy is that exposure of the public should comply with the ICNIRP (2020) guidelines. The electricity industry has agreed to follow this policy. Applications should show evidence of this compliance as specified in 2.10.11.</p> <p>The balance of scientific evidence over several decades of research has not proven a causal link between EMFs and cancer or any other disease. The NIHP CRCE keeps under review emerging scientific research and/or studies that may link EMF exposure with various health problems and provides advice to the Department of Health and Social Care on the possible need for introducing further precautionary measures.</p> <p>The Department of Health and Social Care’s Medicines and Healthcare Products Regulatory Agency does not consider that transmission line EMFs constitute a significant hazard to the operation of pacemakers.</p> <p>There is little evidence that exposure of crops, farm animals or natural ecosystems to transmission line EMFs has any agriculturally significant consequences.</p>	
Sulphur Hexafluoride	EN-5 2.9.59 – 2.9.60	<p>Sulphur Hexafluoride (SF6) is an insulating and arc-suppressant gas used in high-voltage switchgear for electricity networks.</p> <p>It is also an extraordinarily potent greenhouse gas, and fugitive emissions from electricity networks infrastructure are an object of increasing environmental concern, especially in light of the UK’s commitment to net zero by 2050.</p>	Chapter 3: Project Description (APP-058) outlines that there are no likely sources of emissions from AIS, but t potential source of sulphur hexafluoride (SF6) in GIS in the event of a leak. The Applicant is looking as far as practical to eliminate the use of SF6 gas on site, with the requirement for SF6 free switchgear. In any case, a risk mitigation strategy would be implemented for any potential gas leak and would include for example leak detection and alarm systems. Heat from equipment cooling systems will be emitted to the atmosphere via heat exchangers, in particular from power electronic based systems.
EN-5 2.9.61	Applicants should at the design phase of the process consider carefully whether the proposed development could be reconceived to avoid the use of SF6-reliant assets.		
EN-5 2.9.62 – 2.9.63	<p>Where the development cannot be so conceived, The Applicant must provide evidence of their reasoning on this point. Such evidence will include, for instance, an explanation of the alternatives considered, and a case why these alternatives are technically infeasible or require bespoke components that are grossly disproportionate in terms of cost.</p> <p>In particular, an accounting of the cost differential between the SF6-reliant asset and the appropriate SF6-free alternative should be provided.</p>		

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	EN-5 2.9.64	Where applicants, having followed the above procedure, do propose to put new SF6-reliant assets onto the electricity system, they should design a plan for the monitoring and control of fugitive SF6 emissions consistent with the Fluorinated gas (F-gas) Regulation and its successors.	
EN-5 Part 2.10: Mitigation			
Mitigation	EN-5-2.10.1	The applicant should consider and address routing and avoidance/minimisation of environmental impacts both onshore and offshore at an early stage in the development process.	<p>From the outset of the Project the Applicant has sought to avoid/minimise environmental impacts both onshore and offshore. The site selection and design process for the Project has undergone various iterations, involving early engagement with stakeholders, communities, and landowners to seek input to refine the key elements of the Project.</p> <p>The iterative process of the Project included constraints mapping, assessment and continued consultation undertaken to date has been key in the identification of project design for the offshore ECC, landfall, onshore ECCs and OnSS Study Areas. The overall aim of the site selection process was to understand the relevant constraints (environmental, engineering/technical and economic) to ensure that the adopted locations are robust and deliverable. As a consequence, the final Project design has been able to minimise impacts on the environment and communities whilst ensuring that the lowest cost of energy can be passed to consumers.</p> <p>The offshore routing has also had due regard to the following documents:</p> <ul style="list-style-type: none"> <li>▪ The Crown Estate (2012) Guidance on the Principles of Cable Routing and Spacing;</li> <li>▪ The Crown Estate (2022) Plan-level Habitats Regulations Assessment for Round 4; and</li> <li>▪ The Crown Estate (2021) Cable Route Identification and Leasing Guidelines: Transmission Assets Infrastructure for Offshore Renewable Installations.</li> </ul> <p>For further information regarding the site selection and design process, see Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p>
Landscape and Visual	EN-5-2.10.5	<p>In addition to good design in accordance with the Holford and Horlock rules (please see paragraphs 2.9.16 - 2.9.19), and the consideration of undergrounding or rerouting the line where possible, the principal opportunities for mitigating adverse landscape and visual impacts of electricity networks infrastructure are:</p> <ul style="list-style-type: none"> <li>▪ consideration of network reinforcement options (where alternatives exist) which may allow improvements and/or extensions to an existing line rather than the building of an entirely new line;</li> <li>▪ selection of the most suitable type and design of support structure in order to minimise the overall visual impact on the landscape. In particular, ensuring that towers are of the smallest possible footprint and internal volume; and</li> <li>▪ the rationalisation, reconfiguration, and/or undergrounding of existing electricity networks infrastructure in the vicinity of the proposed development.</li> </ul>	<p>As per Chapter 28 Landscape and Visual Assessment Primary Embedded mitigation in respect of the onshore elements of the Project has involved the sensitive siting and design of the landfall, onshore ECC, 400kV cable corridor and OnSS, to ensure the potential impacts are avoided or reduced. The proposed onshore ECC and 400kV cable corridor will also be buried underground to reduce potential landscape effects.</p> <p>Furthermore, as stated within Chapter 3 Project Description (APP-058), a trenchless techniques will be utilised at the Landfall. This method has been selected to avoid impacts on the coastal features and habitat in the area, as well as the existing infrastructure, sea defence and ornithological and ecological receptors.</p> <p>An OLEMS (APP-284) has also been produced which sets out the in-principle measures that will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape. The assessment also considers existing and proposed Project's and no residual effects have been identified.</p>
	EN-5-2.10.6	Additionally, there are more specific measures that might be taken, and which the Secretary of State could mandate through DCO requirements if appropriate, as follows:	A OLEMS (APP-284) will be secured as part of the DCO, which sets out several measures to raise the design quality of the Project, whilst also leading to biodiversity enhancements.

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		<ul style="list-style-type: none"> <li>▪ landscape schemes, comprising off-site tree and hedgerow planting, are sometimes used for larger new overhead line projects to mitigate potential landscape and visual impacts, softening the effect of a new above ground line whilst providing some screening from important visual receptors. These may be implemented with the agreement of the relevant landowner(s), or the developer may compulsorily acquire the land or land rights in question. Advice from the relevant statutory authority may also be needed; and</li> <li>▪ screening, comprising localised planting in the immediate vicinity of residential properties and principal viewpoints can also help to screen or soften the effect of the line, reducing the visual impact from a particular receptor.</li> </ul>	<p>This includes the sensitive siting of the Onshore infrastructure during site selection and mitigation planting that will play a role in screening the OnSS.</p> <p>As noted in the Design Principles Statement (APP-293), the design of the substation has had due regard to the Horlock Rules, which include principles relating to screening as follows:</p> <ul style="list-style-type: none"> <li>▪ The siting, orientation and layout of a substation will look to take advantage of existing screening provided by the topography and vegetation, in combination with an assessment of the receptors in the area surrounding the site; and</li> <li>▪ Consideration will be given to the positioning of buildings which can provide screening of external equipment and noise attenuation where appropriate;</li> </ul> <p>In addition, the Project is committed to deliver benefits to the natural and local environment . A Biodiversity Net Gain Project Principles and Approach Statement (APP-302) has been prepared and submitted alongside the ES.</p>
Noise and Vibration	EN-5 2.10.7- 2.10.8	<p>As set out in the paragraphs above, where landscape schemes and/or screening mitigation of the kind described above is required, rights over the land necessary for such measures may be compulsorily acquired as part of the DCO.</p> <p>Furthermore, since long-term management of the selected mitigation schemes is essential to their mitigating function, a management plan, developed at least in outline at the conclusion of the examination, and which sets out proposals within a realistic timescale, should secure the integrity and benefit of these schemes. This should also uphold the landscape commitments made to achieve consent, alongside any pertinent commitments to environmental and biodiversity net gain.</p>	
Electric and Magnetic Fields	EN-5- 2.10.11- 2.10.12	<p>Applicants must consider the following measures:</p> <ul style="list-style-type: none"> <li>▪ the positioning of lines to help mitigate noise;</li> <li>▪ ensuring that the appropriately sized conductor arrangement is used to minimise potential noise;</li> <li>▪ quality assurance through manufacturing and transportation to avoid damage to overhead line conductors which can increase potential noise effects;</li> <li>▪ ensuring that conductors are kept clean and free of surface contaminants during stringing/installation; and</li> <li>▪ the selection of quieter cost-effective plants.</li> </ul>	No overhead lines are proposed as part of the Project.
	EN-5- 2.10.3	<p>The Applicant should consider the following factors:</p> <ul style="list-style-type: none"> <li>▪ height, position, insulation and protection (electrical or mechanical as appropriate) measures subject to ensuring compliance with the Electricity Safety, Quality and Continuity Regulations 2002;</li> <li>▪ that optimal phasing of high voltage overhead power lines is introduced wherever possible and practicable in accordance with the Code of Practice to minimise EMFs; and</li> <li>▪ any new advice emerging from the Department of Health and Social Care relating to government policy for EMF exposure guidelines. 2.10.12</li> </ul> <p>Where it can be shown that the line will comply with the current public exposure guidelines and the policy on phasing, no further mitigation should be necessary.</p>	Please see the Applicant’s response to 2.9.44 to 2.9.57
Sulphur Hexafluoride	EN-5- 2.10.14- 2.10.15	<p>Where EMF exposure is within the relevant public exposure guidelines, re-routeing a proposed overhead line purely on the basis of EMF exposure or undergrounding a line solely to further reduce the level of EMF exposure are unlikely to be proportionate mitigation measures</p>	Please see the Applicant’s response to paragraphs 2.9.59 to 2.9.64 of EN-5.
		<p>The climate-warming potential of SF6 is such that applicants should, as a rule, avoid the use of SF6 in new developments.</p> <p>Where no proven SF6-free alternative is commercially available, and where the cost of procuring a bespoke alternative is grossly disproportionate, the continued use of SF6 is</p>	

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		acceptable, provided that emissions monitoring and control measures compliant with the F-gas Regulation and/or its successors are in place.	
EN-5 Part 2.12: Special assessment principles for offshore-onshore transmission			
Special assessment principles for offshore-onshore transmission	EN-5 2.12.1	Details in this section are in addition to those set out in EN-3 on the network connections for offshore wind including different types of offshore transmission. These include EN-3 sections 2.8.34 – 2.8.43 and 2.8.59-2.8.73 on network connections, 2.8.76 -2.8.79 on micrositing and 2.8.90-2.8.92 on Offshore Wind Environmental Standards which include offshore transmission and should be considered together with the details below.	The Applicant has noted these. Please also see the Applicant’s responses to the referenced paragraphs of EN-3.
	EN-5 2.12.2 – 2.12.3	The scale of offshore transmission infrastructure required to support the government’s 50GW offshore wind development ambition has significant implications for the onshore network.  A substantial amount of new onshore network infrastructure, including network reinforcements, is required to enable transmission of the domestic and international offshore power flows coming onshore or power being exported to neighbouring North Seas countries.	The Project would consist of up to 100 turbines with a capacity of 1.5GW and therefore contribute to the government’s ambition of 50GW of offshore wind by 2030.
	EN-5 2.12.4	As identified in EN-1, it is important that the network planning for offshore transmission is much more closely co-ordinated with the planning and development of the onshore transmission network than previously. This includes all types of offshore transmission including interconnectors, multi-purpose interconnectors (MPIs) and Subsea ‘onshore’ transmission or ‘bootstraps’ reinforcing the onshore network. Further details on the different types of offshore transmission are provided in the Glossary.	The grid connection options (and therefore to a great extent the export cable routing and OnSS siting) has been predominantly driven by the OTNR which was launched by UK Government in July 2020. The OTNR evaluated grid connection options for all Round 4 projects, leading to a Holistic Network Design (HND) and identification of specific grid connection options for the Project.  The Applicant has engaged with the HND throughout the development process and provided information where necessary/requested and progressed a number of options for the grid connection and associated cable route and substation sites. However, in March 2022 Ofgem confirmed that the connection for the Project should be a radial connection, and that, as such, no opportunities for coordination with other projects are possible. However, the Project has also demonstrated its commitment to adopting a coordinated approach, through informal and formal consultation, and bilateral engagement with individual stakeholders (see Chapter 4: Site Selection and Consideration of Alternatives (APP-059)).
	EN-5- 2.12.5	The above offshore-onshore transmission co-ordination work is undertaken through a process of ongoing reform with the key outcomes including the Holistic Network Design and its subsequent follow up exercises for offshore-onshore transmission and subsequent strategic network planning exercises such as the Centralised Strategic Network Plan led by National Grid Electricity System 33 and/or the Future Systems (once established).	
	EN-5 -2.12.6	In addition, a more co-ordinated approach to designing offshore transmission is expected to be adopted compared with the previous standard approach of radial routes to shore. This applies to spatially close groups of offshore windfarms, Subsea ‘onshore’ transmission or bootstraps, interconnectors and multi-purpose interconnectors.	
Critical National Priority	EN-5 2.12.7	As highlighted in EN-1 government has concluded that there is a CNP for the provision of nationally significant low carbon infrastructure. This includes for electricity grid infrastructure, all power lines in scope of EN-5 including network reinforcement and upgrade works, and associated infrastructure such as substations. This is not limited to those associated specifically with a particular generation technology, as all new grid projects will contribute towards greater efficiency in constructing, operating and connecting low carbon infrastructure to the National Electricity Transmission System. This includes infrastructure identified in the Holistic Network Design and subsequent strategic network design exercises, see Section 2.13 below.	As outlined in the Applicant’s response to paragraph 3.3.60 of EN-1 the Project is classified as CNP infrastructure.
EN-5 Part 2.13: Offshore-onshore transmission: Applicant assessment			
Co-ordination of strategic network design	EN-5 2.13.4 – 2.13.5	It is recognised that proposed projects which have progressed through strategic network design exercises have been considered for strategic co-ordination through those exercises. However, any opportunities for subsequent local co-ordination between projects, irrespective of whether they have been through those exercise, should be considered in project	Please see the Applicant’s response to section 2.12 of EN-5.  The Applicant has engaged with the HND throughout the development process and provided information where necessary/requested and progressed a number of options for

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>development. This is in addition to considerations on co-ordinating delivery in construction, see section 2.14.2.</p> <p>In addition, it is recognised that the HND and subsequent network design exercises, may on occasion, identify a radial solution, i.e. a direct route from an offshore wind farm to shore, not proposed to co-ordinate with another project at the time of network design.</p>	<p>the grid connection and associated cable route and substation sites. However, in March 2022 Ofgem confirmed that the connection for the Project should be a radial connection, and that, as such, no opportunities for coordination with other projects are possible. To assist the SoS, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) provides a description of the site selection process and the approach undertaken by ODOW to define the design of the proposed Project. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of ODOW.</p> <p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project, including location and infrastructure options, in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations); the Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended); the Conservation of Habitats and Species Regulations 2010 (as amended) (the 'Habitats Regulations'); and the Offshore Marine Conservation (Natural Habitats, &amp; c.) Regulations 2007 (as amended) (the 'Offshore Habitats Regulations').</p>
Coordinated approach, including for 'early opportunities' projects.	EN-5 2.13.9 – 2.13.13	<p>In the case of infrastructure identified through the HND, and subsequent network design exercises applicants should identify any variations to or developments from that work and justify these in accordance with the same objectives or criteria above, i.e. economic and efficient, deliverable and operable, minimise impact on the environment and minimise the impact on the local communities, giving these four criteria equal weight.</p> <p>On occasion, network designs may be amended as necessary as a result of new information or other changes (such as where a project within a coordinated design is no longer being progressed).</p> <p>Any such changes approved through an appropriate change control process are likely to result in information that is important and relevant consideration.</p> <p>Radial offshore transmission options to single windfarms should only be proposed where options assessment work identifies that a co-ordinated solution is not feasible. For projects which had firm connection agreements in place prior to completion of the HND (formerly known as 'Early Opportunities' projects)<sup>37</sup>, co-ordinated design work should be brought forward by applicants.</p> <p>The identification of co-ordinated solution options, and any radial option, should consider the criteria for designs to be deliverable and operable, economic and efficient, minimise impact on the environment and minimise impact on the local communities. Options should seek to identify the most appropriate balance between these criteria.</p> <p>The coordinated solutions assessed should seek to be ambitious in the degree of co-ordination, wherever possible. This includes taking account of geographically proximate projects including opportunities to connect wind farms and multi-purpose interconnectors and/or bootstraps with each other that are planned or foreseen in the near future. Evidence should demonstrate that this has been considered in the assessment of options.</p>	<p>Where alternatives have been considered, the ES sets out the alternatives considered and explains the main reasons for the choice between alternative options (including relevant environmental, social, and economic factors). More detail on the legislative obligations and the information to be provided is set out in Chapter 2: Need, Policy and Legislative Context (APP-055).</p> <p>The Project has stemmed from the HND process which has considered a "radial" and a "coordinated" option. The applicant has engaged with the HND throughout the development process and provided information where necessary/requested and progressed a number of options for the grid connection and associated cable route and substation sites. However, in March 2022 Ofgem confirmed that the connection for the Project should be a radial connection, and that, as such, no opportunities for coordination with other projects are possible (see Chapter 4: Site Selection and Consideration of Alternatives (APP-059)).</p>
Impacts	EN-5 2.13.14 – 2.13.20	<p>Applicants bringing forward offshore transmission projects are expected to consider future demand when considering the location and route of their proposals. This may involve consenting offshore platforms, converter stations or substations which facilitate future coordination.</p> <p>If, through the coordinated options assessment work, a radial route is deemed to be the only feasible solution, applicants should evidence each co-ordination option and the accompanying assessment. These assessments should detail the application of the criteria identified above versus the radial counterfactual. In these instances, the Secretary of State should have regard to the need case set out in Section 3.3 of EN-1.</p>	<p>Refer to response above; the Project has stemmed from the HND process which has considered a "radial" and a "coordinated" option. The applicant has engaged with the HND throughout the development process and provided information where necessary/requested and progressed a number of options for the grid connection and associated cable route and substation sites. However, in March 2022 Ofgem confirmed that the connection for the Project should be a radial connection, and that, as such, no opportunities for coordination with other projects are possible (see Chapter 4: Site Selection and Consideration of Alternatives (APP-059)).</p> <p>Nevertheless, the Project has also demonstrated its commitment to adopting a coordinated approach, through informal and formal consultation, and bilateral engagement with individual stakeholders. Feedback received has been taken into consideration throughout, via a range of means including (but not exclusively limited to), further details can be found in the Consultation Report (document 5.1).</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Co-ordinated transmission proposals, including multi-purpose interconnectors and other types of offshore transmission (see Glossary), are expected to reduce the overall environmental and community impacts associated with bringing offshore transmission onshore compared to an uncoordinated, radial approach. These reduced impacts could, for example, relate to: fewer landing sites and reduced Landfall impacts; reduced overall cable length and impacts; and fewer cable corridors and reduced impacts from these.</p> <p>Similarly, the related Onshore infrastructure required in conjunction with the offshore transmission to enable offshore wind to be connected at its onshore grid connection point is expected to reduce the overall environmental and community impacts. This is in comparison with that which would be required for radial connections from single offshore windfarms to the shore.</p> <p>For Onshore infrastructure, reduced impacts could, for example, relate to fewer or co-located substations and converter stations and transmission lines as well as demonstrating how environmental and community impacts have been avoided as far as possible.</p> <p>Applicants are expected to be able to indicate how co-ordination including reduction in impacts have been considered drawing on work of others, including that led or enabled by National Grid Electricity System Operator (ESO).</p> <p>For those projects not covered by the strategic network planning undertaken by the ESO, and which have received a connection agreement, applicants should seek to demonstrate the reduced overall impacts from co-ordination (as identified at section 2.13.14 above) and how the onshore connection locations have been identified. These projects are expected to demonstrate the reductions in environmental and community impact achieved through coordination compared with radial solutions.</p> <p>There may be exceptional circumstances where multiple co-ordinated solutions have been explored and all those solutions would lead to adverse impacts (for example adverse effects on an environmentally protected site) and where these could be avoided through radial connections. In these circumstances radial connections may be more appropriate. Evidence of the co-ordinated solutions assessed, and likely adverse impacts would need to be provided by The Applicant to clearly substantiate this. This includes demonstration of consideration of alternative co-ordination solutions which may not be in proximate locations. Applicants should refer to policy text in EN-3 (including section 2.8) and EN1 (including sections 4.4 and 5.4) regarding consideration of impacts and Cumulative impacts in the environment and policy text in the remainder of this policy statement regarding consideration of impacts onshore.</p>	
Coastal connections	EN-5 2.13.21 – 2.13.23	<p>The sensitivities of many coastal locations and of the marine environment as well as the potential environmental, community and other impacts in neighbouring onshore areas must be considered in the identification onshore connection points.</p> <p>Onshore connection points for offshore transmission bringing power from offshore wind farms must be considered as part of the overall offshore transmission network design and in conjunction with the onshore network by the body responsible for the design.</p>	<p>In the design of the Project, due regard has been given to the MPS adopted by all UK administrations in March 2011 and have been considered in developing the application for consents for the Project.</p> <p>To assist the SoS, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) provides a description of the site selection process and the approach undertaken by the Applicant.</p>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
		<p>Onshore connection locations for offshore transmission must seek to minimise environmental and other impacts, both onshore and in the marine environment and including to local communities.</p>	<p>This chapter outlines the staged approach to defining the spatial boundaries and constituent parts of the Project.</p> <p>Through the application of mitigation, the Applicant seeks to minimise environmental and other impacts, both onshore and in the marine environment and including to local communities. Further information is set out in offshore ES chapters and supporting documents which relate to marine considerations and mitigation are as follows:</p> <ul style="list-style-type: none"> <li>▪ Design Approach Document (APP-292);</li> <li>▪ Outline Fisheries Liaison and Co-existence plan (APP-288);</li> <li>▪ Outline Offshore Operations and Maintenance Plan (APP-275);</li> <li>▪ Outline Project Environmental Management Plan (APP-277);</li> <li>▪ Outline Marine WSI Archaeological (APP-282);</li> <li>▪ Chapter 3, Appendix 1: Cable Burial Risk Assessment (APP-142);</li> <li>▪ Chapter 7: Marine Physical Processes (APP-062);</li> <li>▪ Chapter 8: Marine Water Quality and Sediment Quality (APP-063);</li> <li>▪ Chapter 9: Benthic and Intertidal Ecology (APP-064);</li> <li>▪ Chapter 10: Fish and Shellfish Ecology (APP-065);</li> <li>▪ Chapter 11: Marine Mammals (APP-066);</li> <li>▪ Chapter 12: Offshore and Intertidal Ornithology (APP-067);</li> <li>▪ Chapter 13: Marine and Intertidal Archaeology (APP-068)</li> <li>▪ Chapter 14: Commercial Fisheries (APP-069);</li> <li>▪ Chapter 15: Shipping and Navigation (APP-070);</li> <li>▪ Chapter 16: Aviation, Radar and Military Communication (APP-071);</li> <li>▪ Chapter 17: Seascape, Landscape and Visual (APP-072); and</li> <li>▪ Chapter 18 Marine Infrastructure and Other Users (APP-073).</li> </ul> <p>The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the Development Consent Order (DCO). The plan includes other environmental monitoring measures adopted as part of the project.</p>
<b>EN-5 Part 2.14: Offshore-onshore transmission: mitigation</b>			
Offshore-onshore transmission: mitigation	EN-5 2.14.1	<p>Adverse impacts on Marine Protected Areas (MPAs have caused consenting delays, and in some cases a need for compensatory measures under the Conservation of Habitats and Species Regulations 2017 and the Conservation of Offshore Habitats and Species Regulations 2017, or measures of equivalent environmental benefit under the Marine and Coastal Access Act 2009. Therefore, applicants should consider and address routing and avoidance/minimisation of environmental impacts both onshore and offshore at an early stage in the development process. Applicants should also facilitate delivery of Strategic Compensation measures where appropriate (see paragraphs 2.8.276-2.8282 of EN-3).</p>	<p>To assist the SoS, Chapter 4 Site Selection and Consideration of Alternatives (APP-059) provides a description of the site selection process and the approach undertaken by the Applicant. This chapter also provides information on the need for new renewable energy generation, followed by detail regarding the alternatives considered for both the onshore and offshore elements of ODOW.</p> <p>The offshore routing has also had due regard to the following guidance:</p> <ul style="list-style-type: none"> <li>▪ The Crown Estate (2012) Guidance on the Principles of Cable Routing and Spacing;</li> <li>▪ The Crown Estate (2022) Plan-level Habitats Regulations Assessment for Round 4; and</li> <li>▪ The Crown Estate (2021) Cable Route Identification and Leasing Guidelines: Transmission Assets Infrastructure for Offshore Renewable Installations.</li> </ul>

SECTION/ TOPIC	PARAGRAPH REF	NPS REQUIREMENT	ACCORDANCE WITH THE NPS
			<p>Provisions to secure the delivery of compensation (to the extent that the Secretary of State decides that this is necessary) are set out in the draft DCO (APP-303). The compensation options and plans have been the subject of extensive consultation with relevant stakeholders, as detailed therein, both through statutory consultation carried out under section 42 of the 2008 Act and participation in the EPP and ETGs. Additionally the Applicant has participated in the Collaboration in Offshore Wind Strategic Compensation (COWSC) led by the Offshore Wind Industry Council (OWIC) and the Crown Estate Kittiwake Strategic Compensation Plan (APP-260).</p> <p>The Applicant has the ability through the DCO to deliver strategic compensation through the Marine Recovery Fund.</p>
	<p>EN-5 2.14.2</p>	<p>In the assessments of their designs, applicants should demonstrate:</p> <ul style="list-style-type: none"> <li>▪ how environmental, community and other impacts have been considered and how adverse impacts have followed the mitigation hierarchy i.e. avoidance, reduction and mitigation of adverse impacts through good design;</li> <li>▪ how enhancements to the environment post construction will be achieved including demonstrating consideration of how proposals can contribute towards biodiversity net gain (as set out in Section 4.5 of EN-1 and the Environment Act 2021), as well as wider environmental improvements in line with the Environmental Improvement Plan and environmental targets (paragraph 4.2.29 of EN-1).</li> <li>▪ how the construction planning for the proposals has been co-ordinated with that for other similar projects in the area on a similar timeline;</li> <li>▪ how enhancements to the landscape and environmental assets may contribute to overall landscape and townscape quality as set out in EN-1 4.6.13 and 5.10.23;</li> <li>▪ how the mitigation hierarchy has been followed, in particular to avoid the need for compensatory measures for coastal, inshore and offshore developments affecting SACs SPAs, and Ramsar sites and MCZs as set out in EN-3 2.8;</li> <li>▪ For designated landscapes the principal mitigation measure, as established by the Holford Rules, should be to seek to avoid Landfall in these areas.</li> </ul>	<p>Chapter 4 Site Selection and Consideration of Alternatives (APP-059) outlines the staged approach to defining the spatial boundaries and constituent parts of the Project. It also explains and details the main alternatives considered for the Project, including location and infrastructure options.</p> <p>In addition, the Applicant has provided a full EIA, reported in the ES that accompanies the Project, which includes information on the relationship between the Project and the topic-specific planning policies. These chapters consider any environmental, community and other impacts and demonstrate how adverse impacts have followed the mitigation hierarchy i.e. avoidance, reduction and mitigation of adverse impacts through good design. The Schedule of Mitigation (APP-287) lists all measures proposed on a topic-by-topic basis. They are grouped by document relationships and signposts where the commitments are made in the ES, how they are secured within the draft Development Consent Order (DCO) &amp; Deemed Marine Licence (dML) and associated documents.</p> <p>The location of the ECC route has also undergone review of alternative options as outlined in Chapter 4 Site Selection and Consideration of Alternatives (APP-059).</p> <p>Proposals for minimising the effects on landscape and visual amenity from the Onshore infrastructure are set out in the OLEMS (APP-284). Design considerations are set out in the Design Approach Document (APP-292) and the Design Principles Statement (APP-293).</p> <p>Furthermore, A Biodiversity Net Gain Project Principles and Approach Statement (APP-302) has been prepared and submitted alongside the ES and outlines how the Applicant is exploring opportunities to deliver BNG and is actively engaging with organisations and environmental bodies local to the Project's footprint to identify potential collaboration opportunities.</p>

A coastal landscape featuring a sandy path that winds through tall, dry grasses. The path leads towards a flat, sandy area that meets the ocean under a cloudy sky. The overall scene is serene and natural.

**Outer Dowsing Offshore Wind**

**Project Statements**

Policy Compliance Document

National Planning Policy Framework

Company:		<b>Outer Dowsing Offshore Wind</b>		Asset:	<b>Whole Asset</b>	
Project:		<b>Whole Wind Farm</b>		Sub Project/Package:	Whole Asset	
Document Title or Description:		Policy Compliance Document				
Internal Document Number:		PP1-ODOW-DEV-CS-STA-0014_02		3 <sup>rd</sup> Party Doc No (If applicable):	N/A	
Rev No.	Date	Status / Reason for Issue	Author	Checked by	Reviewed by	Approved by
1.0	March 2024	Holding Statement	Outer Dowsing	Outer Dowsing	Outer Dowsing	Outer Dowsing
2.0	August 2024	Response to Rule 17 Letter dated 3 July 2024	SLR	Shepperd & Wedderburn	Outer Dowsing	Outer Dowsing

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## 5 NPPF (December 2023) Compliance

Table 1: NPPF Compliance

SECTION/ TOPIC	PARAGRAPH REF	NPPF REQUIREMENT	ACCORDANCE WITH THE NFFP
2. Achieving sustainable development	7	The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.	The Project represents an excellent opportunity to make a contribution to the planning systems objective of achieving sustainable development as Project will deliver up to 100 wind turbines with a capacity of 1.5GW that will support the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050.
	8	Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):  a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;  b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and  c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’	This will not only contribute to a better energy security in the short-term, but will safeguard the needs of future generations, by supporting the creation of a resilient energy network that is required to meet future demand.  Please see the Applicant’s response to paragraph 4.3.4 of EN-1 which outlines the Applicant’s commitment to Environmental Stewardship and Biodiversity Net Gain.  Chapter 29 Socio-Economic Characteristics (document reference APP-084) outlines how the Project will deliver positive impacts on the local economy and employment which will support the government ambition’s to deliver support up to 27,000 jobs within the wind sector as by 2030. Please see the Applicant’s response to Section 5.13 of EN-1 outlining the assessment of the potential impacts and benefits of the Project to the local area.  It is also important to note that the Project has undergone an iterative design process involve several rounds of consultation with relevant stakeholders and engagement.. Further commentary can be found within Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059).
4. Decision-making	39	Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.	The Applicant has engaged extensively with the local community and local planning authorities in accordance with the Statement of Community Coordination (SoCC) which was agreed with the local authorities. A record of how the Applicant consulted and how the Applicant had regard to responses to this consultation is outlined in the Consultation Report (document reference APP-032)
	42	‘The participation of other consenting bodies in pre-application discussions should enable early consideration of all the fundamental issues relating to whether a	The Applicant submitted a request for a Scoping Opinion on 1 August 2022 together with a Scoping Report. The Planning Inspectorate after

SECTION/ TOPIC	PARAGRAPH REF	NPPF REQUIREMENT	ACCORDANCE WITH THE NFFP
	43	<p>particular development will be acceptable in principle, even where other consents relating to how a development is built or operated are needed at a later stage. Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible.'</p> <p>The right information is crucial to good decision-making, particularly where formal assessments are required (such as Environmental Impact Assessment, Habitats Regulations assessment and flood risk assessment). To avoid delay, applicants should discuss what information is needed with the local planning authority and expert bodies as early as possible.</p>	<p>consultation with the consultation bodies who replied within the statutory time frame, issued a Scoping Opinion on 9 September 2022. Copies of the Scoping Report and Scoping Opinion are annexed to the Consultation Report (document reference APP-034 and APP-035).</p> <p>As detailed within the Consultation Report (document reference APP-032), the Project has undertaken extensive consultation and pre-application discussions, bilaterally with stakeholders, through statutory and non-statutory consultation and as part of the EPP including ETG meetings which included groups with a focus on Derogation &amp; Compensation.</p> <p>Regarding Paragraph 43 of the NPPF, the Applicant has provided a full EIA, reported in the Environmental Statement (ES) which includes information on the relationship between the Project and the topic-specific planning policies outlined in the NPSs.</p> <p>Specifically in relation to flood risk assessments, FRA reporting has been undertaken in the following documents:</p> <ul style="list-style-type: none"> <li>▪ FRA: OnSS (document reference: APP-212); and</li> <li>▪ FRA: Onshore ECC and 400kV (document reference: APP-211).</li> </ul> <p>The above FRAs have identified appropriate mitigation measures to ensure that the flood minimised to an acceptable level</p> <p>Further details on the HRA process is set out in the Applicant's response to paragraph 4.2.9 of EN-1.</p>
8. Promoting healthy and safe communities	104	<p>Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.</p>	<p>As a result of the linear nature of the proposed project it has not been possible to fully avoid public rights of way however none will be closed temporarily without offering a diversion or alternative route as detailed in the Outline Public Access Management Plan (PAMP) (document reference APP-291). Public Rights of Way can however only be closed on a temporary basis, and the PAMP states that PRoW will be kept open where practicable.</p>
9. Promoting sustainable transport	108	<p>Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:</p> <ul style="list-style-type: none"> <li>a) the potential impacts of development on transport networks can be addressed;</li> <li>b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;</li> <li>c) opportunities to promote walking, cycling and public transport use are identified and pursued;</li> </ul>	<p>Chapter 27 Traffic and Transport (document reference APP-082) concludes the Project will not have any significant effects on the transport network that cannot be managed effectively by the proposed mitigation. The chapter also outlines that the current transport guidance has been followed and considered across the transport documents submitted with the DCO.</p> <p>The Outline Constriction Traffic Management Plan (document reference APP-289) sets out several measures to ensure movement associated with construction personnel is done in the most sustainable</p>

SECTION/ TOPIC	PARAGRAPH REF	NPPF REQUIREMENT	ACCORDANCE WITH THE NFFP
		<p>d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and</p> <p>e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.</p>	<p>way and has minimal impacts on public users of local highways. Measures include strategic vehicle routing to ensure the locations that are most vulnerable/sensitive are avoid which would be agreed with the LCC and the provision of clear signage to inform local residents of any changes to the local road network.</p>
	114	<p>In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:</p> <p>a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;</p> <p>b) safe and suitable access to the site can be achieved for all users;</p> <p>c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and</p> <p>d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.</p>	<p>Sustainable transport is also advocated in the Outline Travel Plan (document reference APP-290) which forms a framework with the aim to reduce travel by single occupancy vehicles and provide awareness of travel choices to construction workers.</p> <p>The Travel Plan will be drafted in accordance with the Outline Travel Plan. Proposed measures include the appointment of a Travel Plan Coordinator, provision of cycle parking and changing facilities and car sharing schemes.</p>
	117	<p>All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.</p>	<p>Chapter 27 Traffic and Transport (document reference APP-082) assesses the potential impacts of the Project.</p> <p>The Applicant has provided an Outline Travel Plan (document reference APP-290).</p>
12. Achieving well-designed and beautiful places	131	<p>The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process</p>	<p>The Applicant’s approach to good design has been outlined in the Applicant’s response to paragraphs 4.6.15-4.6.18, and 4.7.1 and is also set out in the Design Approach Document (document reference APP-292) and the Design Principles Statement (document reference APP-293)</p> <p>The Applicant has engaged extensively with the local community and local planning authorities as set out in the Consultation Report (document reference APP-032) in accordance with the Statement of Community Consultation (document reference APP-039 and APP-040)</p>
	137	<p>Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early,</p>	<p>As per Chapter 4 Site Selection and Consideration of Alternatives Site Selection and Consideration of Alternatives (document reference APP-059), the Project has been the subject of an iterative design process that ensures the Project’s infrastructure in located in the most appropriate locations to minimise harm to the environment and local communities.</p>

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		proactive and effective engagement with the community should be looked on more favourably than those that cannot.	<p>As part of the design process, the Applicant has undertaken early engagement with stakeholders, communities and landowners which has influenced the design of the Project. This has included non-statutory and statutory consultation carried out under the 2008 Act, participation in the EPP and ETG meetings, and bilateral engagement with individual stakeholders, further information is contained within the Consultation report (document reference APP-032).</p> <p>The Applicant submitted a Design Approach Document (document reference APP-292) into the Examination which sets out the Applicant's commitment to undertaking a design review process which was initiated in January 2024. A Design Principles Statement (document reference APP-293) was also submitted and outlines the Project commitments relevant to design, these are secured through requirement 9 of the draft DCO., The Applicant has committed to updating this document throughout the examination as the design review process progresses. The Design Review has included presenting visualisations of alternative colours and roof shapes and with a review of material options</p>
14. Meeting the Challenge of Climate Change, Flooding and Coastal Change	157	The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.	<p>This policy is considered to be supportive of the Project which is classified as carbon energy infrastructure, which would contribute to the UK's transition to a low carbon future.</p> <p>As already discussed, the Project will deliver up to 100 wind turbines with a capacity of 1.5GW that will make a substantial contribution to meeting national net zero targets and thus support the planning system in the transition to a low carbon future.</p> <p>The Project has demonstrated through the ES (document reference APP-055) that it is resilient to climate change and has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. Please see the Applicant's response to part 4.10 of EN-1</p>
	158	Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply, biodiversity and landscapes, and the risk of overheating from rising temperatures <sup>56</sup> . Policies should support appropriate measures to ensure the future resilience of communities and infrastructure to climate change impacts, such as providing space for physical protection measures, or making provision for the possible future relocation of vulnerable development and infrastructure.	<p>Please see the Applicant's response to Part 4.10: Climate Change Adaptation and Resilience and Part 5.8: Flood Risk of EN-1.</p> <p>The Project will support the UK in becoming more resilient to the impacts from climate change through the delivery of up to 100 wind turbines with a generating capacity of 1.5GW that will support the UK in transitioning away from fossil fuels and consequently lower greenhouse gas emissions.</p>
	159	New development should be planned for in ways that:	

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		<p>a) avoid increased vulnerability to the range of impacts arising from climate change. When new development is brought forward in areas which are vulnerable, care should be taken to ensure that risks can be managed through suitable adaptation measures, including through the planning of green infrastructure; and</p> <p>b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government’s policy for national technical standards</p>	
	163	<p>When determining planning applications for renewable and low carbon development, local planning authorities should:</p> <p>a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions;</p> <p>b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas;</p> <p>and c) in the case of applications for the repowering and life-extension of existing renewable sites, give significant weight to the benefits of utilising an established site, and approve the proposal if its impacts are or can be made acceptable.</p>	<p>The Project is a renewable development.</p> <p>The EIA outlined in the ES outlines the potential impacts of the Project and proposed mitigation.</p>
	167	<p>All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.</p>	<p>Please see the Applicant’s response to paragraphs 5.8.7-5.8.11. Sections of the OnSS and ECC are located within flood zones 2 and 3, therefore the sequential and exception tests have been applied within the below noted FRAs which conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <ul style="list-style-type: none"> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul>
	168	<p>The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.</p>	
	169	<p>If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential</p>	

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		vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.	
	170	The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.	
	171	Both elements of the exception test should be satisfied for development to be allocated or permitted.	
	173	<p>When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:</p> <p>a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;</p> <p>b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;</p> <p>c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.</p>	<p>Please see the Applicant's response to Part 5.8 of EN-1.</p> <p>The Applicant has submitted site specific flood risk assessments:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (document reference APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (document reference APP-212);</li> </ul> <p>The FRAs identify the baseline context, the potential sources of flood, a detailed assessment of the flood risk and proposed mitigation demonstrating how flood risk has been managed. Section 24.1.5 of the Onshore ECC and 400kV cable corridor and section 24.4 of the Onshore Substation FRA set out how climate change has been taken into account.</p>
	175	<p>Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:</p> <p>a) take account of advice from the lead local flood authority;</p> <p>b) have appropriate proposed minimum operational standards;</p> <p>c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and</p> <p>d) where possible, provide multifunctional benefits.</p>	<p>The potential for the proposed Onshore infrastructure associated with the Project to cause additional run-off has been assessed within the FRAs, as follows:</p> <ul style="list-style-type: none"> <li>▪ FRA: OnSS (document reference: APP-212); and</li> <li>▪ FRA: Onshore ECC and 400kV (document reference: APP-211).</li> </ul> <p>The OnSS design includes a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area.</p>
	176	In coastal areas, planning policies and decisions should take account of the UK Marine Policy Statement and marine plans. Integrated Coastal Zone Management should be pursued across local authority and land/sea boundaries, to ensure effective alignment of the terrestrial and marine planning regimes	The Applicant's regard for the policies set out in the UK Marine Policy Statement and East Marine Plan are outlined below.
	177-178	Plans should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas and not exacerbating the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be	The impact of the Project on coastal processes and geomorphology is considered in Section 7.12 of ES Chapter 7 Marine Physical Processes (document reference APP-062). The assessment considers the

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		<p>affected by physical changes to the coast, and: a) be clear as to what development will be appropriate in such areas and in what circumstances; and b) make provision for development and infrastructure that needs to be relocated away from Coastal Change Management Areas.</p> <p>Development in a Coastal Change Management Area will be appropriate only where it is demonstrated that:</p> <ul style="list-style-type: none"> <li>a) it will be safe over its planned lifetime and not have an unacceptable impact on coastal change;</li> <li>b) the character of the coast including designations is not compromised;</li> <li>c) the development provides wider sustainability benefits; and</li> </ul> <p>the development does not hinder the creation and maintenance of a continuous signed and managed route around the coast.</p>	<p>potential for impacts associated with modifications to littoral transport and coastal behaviour (erosion), at the landfall location.</p> <p>The assessment considers whether use of Horizontal Directional Drilling (HDD) and use of cable protection measures in the nearshore zone will impact Coastal Processes and Geomorphology (including receptors above MHWS).</p> <p>The use of cable protection measures in the nearshore zone has the potential to both locally trap sediment, potentially impacting downdrift locations, and modify the transmission of waves, thereby influencing patterns of littoral sediment transport and beach morphology. Once more detailed nearshore surveys have been carried out, the form of cable protection within the nearshore zone will be selected in order to ensure impacts to sediment transport and beach morphology are minimised, details of which are provided within a Cable Specification and Installation Plan (CSIP). An outline CSIP has been provided with the application (document reference APP-278) which provide an outline of the information which will be contained within the CSIP to be developed post-consent. This Outline CSIP includes proposals for monitoring offshore cables also details mitigation measures relevant to the installation of the cables which will be adhered to during the construction of the Project.</p> <p>Historical coastal erosion rates on the Lincolnshire coastline are significant and an annual beach replenishment programme, managed by the Environment Agency, is undertaken on a regular basis. The proposed strategy over the next 100 years is to implement a combination of rock structures and beach nourishment which means that landfall location is unaffected by the possibility of coastal retreat due to either natural erosion or sea level rise due to climate change.</p> <p>The assessment concludes that the effect on the coast at the Project landfall not be significant in EIA terms.</p>
	180	<p>Planning policies and decisions should contribute to and enhance the natural and local environment by:</p> <ul style="list-style-type: none"> <li>a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);</li> <li>b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;</li> </ul>	<p>As outlined within Chapter 21 Onshore Ecology (document reference APP-076), the Applicant has sought to avoid all important statutory and non-statutory designations where practicable as part of the iterative design process that has undergone numerous iterations, in part as a way to ensure the natural and local environment has preserved.</p> <p>The Applicant has also committed to several mitigation/compensatory measures to prevent harm to the natural and local environment. This</p>

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		<p>c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;</p> <p>d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;</p> <p>e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and</p> <p>f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.</p>	<p>includes the OLEMS (document reference APP-284) that sets out a number of high quality design measures like mitigation planting that will also deliver biodiversity enhancements at the same time. In addition, the Project is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (document reference APP-302) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p> <p>The OLEMS (document reference APP-284) also sets out the in-principle measures which will be implemented to avoid, reduce, mitigate or compensate for potential impacts on landscape and biodiversity resources and measures intended to provide biodiversity enhancements due to the onshore elements of the Project.</p> <p>Furthermore, the Applicant has sought to ensure public access to the coast is not compromised. This includes the Outline Public Access Management Plan (document reference APP-291) which sets out the approach to manage public access to PRowS and recreational routes. Further to this, Chapter 30 Human Health Human Health (document reference APP-085) affirms that there will be no adverse effects on human health through factors such as noise, air quality etc.</p> <p>Construction will be carried out in accordance with a Pollution Prevention and Emergency Incident Response Plan, that will be prepared in accordance with the Outline Pollution Prevention and Emergency Incident Response Plan (document reference APP-272) submitted as part of the outline CoCP. This will set out pollution prevention measure, emergency incident responses and spill procedures. The final plan will include a Frac Out Management Plan for the management of drilling fluid during HDD works.</p>
15. Conserving and enhancing the natural environment	185	<p>To protect and enhance biodiversity and geodiversity, plans should:</p> <p>a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation ; and</p> <p>b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.</p>	<p>Please see the Applicant’s response to paragraphs 5.4.33-5.4.35, 5.4.4-5.4.6 of EN-1 and Part 5.4 in respect of biodiversity and geological conservation.</p> <p>Areas of biodiversity and geological interest have been avoided in the design of the Project through sensitive routing of the onshore and offshore Export Cable Corridor (ECC), siting of the OnSS and array areas and the location of the landfall zone. Routing and siting considerations are discussed in ES Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059).</p>
	186	<p>When determining planning applications, local planning authorities should apply the following principles:</p>	<p>.</p>

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		<p>a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;</p> <p>b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest</p> <p>; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.</p>	
	187	<p>The following should be given the same protection as habitats sites:</p> <p>a) potential Special Protection Areas and possible Special Areas of Conservation;</p> <p>b) listed or proposed Ramsar sites; and</p> <p>c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites.</p>	
	191	<p>Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including Cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:</p> <p>a) mitigate and reduce to a minimum potential adverse impact resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;</p> <p>b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and</p> <p>c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.</p>	<p>In terms of impacts on health, these have been considered within Chapter 30 Human Health (document reference APP-085) which concludes that the Project will have no significance adverse effects, whilst also having the potential to have positive impacts. This includes increased employment opportunities and associated training programmes which can contribute to alleviating groups out of deprivation, as well as wider societal benefits in contributing to the reduction of GHG emissions and securing affordable energy supplies.</p> <p>Regarding noise and vibration, the iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)) has sought to avoid the most sensitive locations areas as practically possible through careful routing of the of the ECC, OnSS and temporary construction compounds. These areas include tranquil locations, recreational routes and residential and public amenity. An Outline Noise and Vibration Management Plan (document reference APP-269) has also been prepared, which includes specific mitigation including acoustic screening, limiting traffic movements to specific times or routes to prevent any harm. Further to this, Chapter</p>

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			<p>26 Noise and Vibration (document reference APP-081) concludes that after the use of both embedded mitigation and recommended additional mitigation, no significant residual effects are expected.</p> <p>In relation to the impact on light pollution, an Outline Artificial Light Emissions Management Plan (document reference APP-285) has been prepared) which outlines there would not no light spill beyond the OnSS site boundary, and the lighting scheme will follow current guidance to minimise impacts.</p>
	192	<p>Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan-making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.</p>	<p>Please see the Applicant’s response to Part 5.7 of EN-1.</p>
	195	<p>Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.</p>	<p>Please see the Applicant’s response to EN-1 Part 5.9: Historic environment</p>
	200	<p>In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation</p>	<p>Please see the Applicant’s response to EN-1 Part 5.9: Historic environment</p>
	203	<p>In determining applications, local planning authorities should take account of:</p> <ul style="list-style-type: none"> <li>a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;</li> <li>b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and</li> <li>c) the desirability of new development making a positive contribution to local character and distinctiveness.</li> </ul>	

# Outer Dowsing Offshore Wind

## Project Statements

### Policy Compliance Document

### Marine Policy Statement

Date: August 2024

Document Reference: 9.1.1  
Pursuant to APFP Regulation: 5(2)(a)  
Rev: 1.0

Company:		<b>Outer Dowsing Offshore Wind</b>		Asset:		<b>Whole Asset</b>	
Project:		<b>Whole Wind Farm</b>		Sub Project/Package:		Whole Asset	
Document Title or Description:		Policy Compliance Document Marine Policy Statement					
Internal Document Number:		PP1-ODOW-DEV-CS-STA-0014_02		3 <sup>rd</sup> Party Doc No (If applicable):		N/A	
Rev No.	Date	Status / Reason for Issue	Author	Checked by	Reviewed by	Approved by	
1.0	March 2024	Holding Statement	Outer Dowsing	Outer Dowsing	Outer Dowsing	Outer Dowsing	
2.0	August 2024	Response to Rule 17 Letter dated 3 July 2024	SLR	Shepperd & Wedderburn	Outer Dowsing	Outer Dowsing	

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## 5 Marine Policy Statement (2011) Compliance

Table 1 Marine Policy Statement (2011) Compliance

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
Objectives	Paragraph 2.2.2	High level objectives are for the protection, conservation and where appropriate recovery of biodiversity; healthy, resilient and adaptable marine and coastal ecosystems across their natural range; and oceans supporting viable populations of representative, rare, vulnerable and valued species.	The Project delivers benefits consistent with the high-level objectives of the MPS as a nationally significant low carbon energy infrastructure development, providing a long-term benefit to biodiversity interests and will make a significant contribution to UK targets to cut greenhouse gas emissions to net zero by 2050. Additionally, several measures to protect and conserve biodiversity are embedded within the Project design as detailed in ES Chapter 3 Project Description (APP-058), ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and the Schedule of Mitigation (APP-287).
Objectives	Box 1: The high level marine objectives	<p>High-level objectives include:</p> <p>“Living within environmental limits” includes the following requirements relevant to marine mammals:</p> <p>Biodiversity is protected, conserved and, where appropriate, recovered, and loss has been halted;</p> <p>Healthy marine and coastal habitats occur across their natural range and are able to support strong, biodiverse biological communities and the functioning of healthy, resilient and adaptable marine ecosystems;</p> <p>and Our oceans support viable populations of representative, rare, vulnerable, and valued species”</p>	<p>The potential effects of the construction, operation, decommissioning phases and the cumulative effects of the Project on marine mammals have been assessed in regard to international, national and local sites designated for ecological or geological features of conservation importance within Chapter 11 Marine Mammals Marine Mammals (document reference APP-066). This chapter also sets out a range of mitigation measures to protect marine mammals, which are also summarised in the Schedule of Mitigation (APP-287).</p> <p>Direct or indirect effects on features of relevant Special Area of Conservation (SAC) and Special Protection Area (SPA) sites are also considered in the Habitats Regulations Assessment screening report (document reference APP-239) and where relevant the RIAA (document reference APP-235) and associated documents.</p>

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
Historic environment	Paragraph 2.6.6.1	The historic environment includes all aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged.	<p>All known and unknown historic environment receptors within the marine archaeology study Area that may be affected by the Project, and their archaeological significance, has been described in Appendix 13.1: Marine and Intertidal Archaeology Technical Report (APP-167) and summarised in Section 13.4 of Chapter 13 Marine and Intertidal Archaeology (APP-068).</p> <p>Chapter 13 Marine and Intertidal Archaeology (APP-068) concludes there will be no significant effects upon Offshore Archaeology and Cultural Heritage receptors.</p>
Coastal development	Paragraph 2.6.8.5	Marine plan authorities should consider existing terrestrial planning and management policies for coastal development under which inappropriate development should be avoided in areas of highest vulnerability to coastal change and flooding. Development will need to be safe over its planned lifetime and not cause or exacerbate flood and coastal erosion risk elsewhere.	<p>Chapter 3 Project Description (APP-058) outlines the suitability of the Project design and considers future coastal change. The Applicant's consideration to coastal change is reflected in the adopted trenchless technique at the landfall which is a proven technique that has been selected to avoid impacts on the coastal features and habitats in the area, as well as the existing infrastructure, sea defence and ornithological and ecological receptors. A full description of coastal processes with respect to landfall is presented on Chapter 7: Marine Physical Processes (APP-062) and the Marine Physical Processes Technical Baseline ( APP-150).</p> <p>ES Chapter 7 Marine Physical Processes (APP-062) concludes that concludes there will be no significant effects upon Marine Geology, Oceanography and Physical Processes receptors.</p>
Defence and National Security	Paragraph 3.2.9	The construction and operation of offshore marine infrastructure, installations and activities, as well as policies on conservation designations and the health of the wider environment may impact on defence interests in certain areas. Marine plan authorities and decision makers should take full account of the individual and cumulative effects of marine infrastructure on both marine and land-based MoD interests. Marine plan authorities, decision makers and developers should consult the MoD in all circumstances to verify whether defence interests will be affected.	The Applicant has ongoing engagement with the MoD to account for effects on marine infrastructure on both marine and land-based MoD interests, which are highlighted within the offshore chapters of the ES. The assessment within Chapter 16 Aviation, Radar, Military and Aviation (APP-071) considers: MOD airfields, both radar and non-radar equipped; MOD AD radars; and MOD Practice and Exercise Areas (PEXAs) for both aviation and non-aviation activities.

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
			<p>Engagement with the MOD is ongoing, including through active participation and funding of the industry Offshore Wind Industry Council (OWIC) Aviation Taskforce.</p> <p>Feedback from the MoD has influenced design elements of the Project, which includes the ECC, which has been refined to be located outside of the Air Weapons Range (see ES Chapter 16, (APP-071)).</p> <p>Further details on how the Project has had due regard to MoD responses is outlined within Appendix 5.1.4 of the Consultation Report (document reference APP-037 to APP-038).</p>
Navigation	Paragraph 3.4.7	Increased competition for marine resources may affect the sea space available for the safe navigation of ships. Marine plan authorities and decision makers should take into account and seek to minimise any negative impacts on shipping activity, freedom of navigation and navigational safety and ensure that their decisions are in compliance with international maritime law. Marine Plan development and individual decisions should also take account of environmental, social and economic effects and be in compliance with international maritime law. Marine plan authorities will also need to take account of the need to protect the efficiency and resilience of continuing port operations, as well as further port development.	<p>The Project has minimised any negative impacts on shipping and navigation as detailed in ES Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and ES Chapter 15 Shipping and Navigation (APP-070). This includes, as set out in section 7.1 of Chapter 4, reduction of the Project array area to reduce impacts on shipping and navigation receptors.</p> <p>Navigational safety impacts have been considered and assessed, including vessel displacement, in Chapter 15 Shipping and Navigation (APP-070). The chapter concludes that there will be no significant effects upon Shipping and Navigation receptors.</p>

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
Fisheries	Paragraph 3.8.1	<p>Fish is an important source of protein, can be part of a healthy diet and has a role in achieving food security, which is an objective of the UK Administrations. The marine fisheries sector comprises all socio-economic activities related to the capture of wild marine organisms (fish and shellfish), and the subsequent handling and processing of catches. Shellfish and demersal fish species currently contribute around 40% each to the total catch value, with the remaining 20% comprising pelagic species such as mackerel and herring. The UK has a long history of fishing both inshore and offshore waters, which the UK Administrations wish to see continue.</p>	<p>The Project has considered the effects on commercial fisheries within ES Chapter 14 Commercial Fisheries (APP-069) and has considered several impacts, including reduction in access to, or exclusions from established fishing grounds and displacement leading to fishing gear conflict and increased pressure on adjacent fishing grounds, across all project phases (construction, operation and maintenance, and decommissioning).</p> <p>The Applicant is also undertaking ongoing consultation with representatives of the fishing industry, the MMO, and other relevant parties as summarised in Section 14.3 of ES Chapter 14 Commercial Fisheries Commercial Fisheries (document reference APP-069).</p> <p>Overall, it is considered that there will be no significant effects upon Commercial Fisheries receptors.</p>

# Outer Dowsing Offshore Wind

## Project Statements

### Policy Compliance Document

### East Marine Plan

Date: August 2024

Document Reference: 9.1.1

Pursuant to APFP Regulation: 5(2)(a)

Rev: 1.0

Company:		<b>Outer Dowsing Offshore Wind</b>		Asset:		<b>Whole Asset</b>	
Project:		<b>Whole Wind Farm</b>		Sub Project/Package:		Whole Asset	
Document Title or Description:		Policy Compliance Document East Marine Plan					
Internal Document Number:		PP1-ODOW-DEV-CS-STA-0014_02		3 <sup>rd</sup> Party Doc No (If applicable):		N/A	
Rev No.	Date	Status / Reason for Issue	Author	Checked by	Reviewed by	Approved by	
1.0	March 2024	Holding Statement	Outer Dowsing	Outer Dowsing	Outer Dowsing	Outer Dowsing	
2.0	August 2024	Response to Rule 17 Letter dated 3 July 2024	SLR	Shepperd & Wedderburn	Outer Dowsing	Outer Dowsing	

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## 6 East Marine Plan Compliance

Table 1: East Marine Plan Compliance

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
Economic	EC1	Proposals that provide economic productivity benefits which are additional to Gross Value Added currently generated by existing activities should be supported.	The Project will provide minor beneficial effects on the economy of the local economic area during development and construction, and positive effects on the economy of the local economic area, regional area and wider UK during both the operational phase and decommissioning phase. An assessment of the socio-economic effects of the Project, and an assessment of GVA worst case scenario, is presented in ES Chapter 29 Socio Economic Characteristics (APP-084).
	EC2	Proposals that provide additional employment benefits should be supported, particularly where these benefits have the potential to meet employment needs in localities close to the marine plan areas.	The Project will create additional employment during the development and construction phase, the operations and maintenance phase and the decommissioning phase. Details of the expected employment benefits to be created by the Project are presented in ES Chapter 29 Socio Economic Characteristics (APP-084).
	EC3	Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.	The Project is an offshore wind generating station. As detailed in the ES Chapter 3 Project Description (APP-058) the Project will generate up to 1.5GW of offshore wind energy.
Health and social well-being	SOC1	Proposals that provide health and social well-being benefits including through maintaining, or enhancing, access to the coast and marine area should be supported.	Within Chapter 29 Socio-Economic Characteristics (APP-084) and Chapter 30 Human Health (APP-085), impacts on the health and social factors are assessed. Where potential impacts are identified, suitable mitigation is described. The Project will ensure access to the coast is maintained during construction by using only trenchless Horizontal Directional Drilling (HDD) for landfall works to install ducts under the inter-tidal area and out to sea with no effect on the beach, as detailed in ES Chapter 3 Project Description (APP-058).
	SOC2	Proposals that may affect heritage assets should demonstrate, in order of preference: <ul style="list-style-type: none"> <li>a) that they will not compromise or harm elements which contribute to the significance of the heritage asset</li> <li>b) how, if there is compromise or harm to a heritage asset, this will be minimised</li> <li>c) how, where compromise or harm to a heritage asset cannot be minimised it will be mitigated against or</li> <li>d) the public benefits for proceeding with the proposal if it is not possible to minimise or mitigate compromise or harm to the heritage asset</li> </ul>	The Project has assessed potential impacts on heritage assets as set out in in Chapter 13 Marine and Intertidal Archaeology (APP-068) which concludes there will be no significant adverse residual effects on heritage assets.
	SOC3	Proposals that may affect the terrestrial and marine character of an area should demonstrate, in order of preference: <ul style="list-style-type: none"> <li>a) that they will not adversely impact the terrestrial and marine character of an area</li> </ul>	ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-074) presents an assessment of the potential impacts of the Project on landscape character areas (LCAs). For

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
		<ul style="list-style-type: none"> <li>b) how, if there are adverse impacts on the terrestrial and marine character of an area, they will minimise them</li> <li>c) how, where these adverse impacts on the terrestrial and marine character of an area cannot be minimised they will be mitigated against</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	<p>ORCPs only, the ES concludes potential significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline.</p> <p>ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072) presents an assessment of the likely significant effects of the Project on landscape character areas (LCAs). The Project has been designed so that adverse effects on the terrestrial and marine character of the surrounding area are avoided or reduced as far as practicable. For ORCPs only, the ES concludes significant effects in relation to receptors on the closest parts of undeveloped sections of the coastline. The Project has sought to minimise and mitigate the impact from the ORCPs in so far as is practicable, including through the site selection process as set out in Chapter 4 Site Selection and Consideration of Alternatives (APP-059) and through the embedded mitigation described in Table 17.9, ES Chapter 17 Seascape Landscape and Visual Impact Assessment (APP-072).</p> <p>The case for proceeding with the Project is justified on the basis of the need for the project including, but not limited to, the urgent need to reduce greenhouse gas emissions in line with the UK Government’s under the Climate Change Act 2008 (as amended), the need for energy security and the Project’s contribution to UK Government stated ambitions through the British Energy Security Strategy (DESNZ, 2022) and Powering Up Britain (HM Government, 2023). The need for the Project is detailed in Chapter 2 of the ES: Need, Policy and Legislative Context (APP-057), the Planning Statement (APP-297) and the Derogation Case (APP-242).</p> <p>Paragraph 3.3.62 of NPS EN-1 sets out that the Government has concluded that there is a critical national priority for the provision of nationally significant low carbon infrastructure, of which offshore wind is a key part. Beyond the principle of offshore wind being needed generally, UK Government targets require a level of deployment such that all currently planned and proposed offshore wind projects are needed. This is captured in NPS EN-1 paragraph 3.2.7 which states that the Secretary of State has determined that substantial weight should be given to the need for new energy NSIPs when considering Planning Act 2008 applications such as this and paragraph 4.2.21 which notes the need for a significant number of deliverable locations with no limit placed on the projects which may be consented.</p>

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
			<p>EN-1 further notes the ambition of 50GW of offshore wind by 2030 (paragraph 3.3.21), which in practice means the installation of in the region of 2,666 of the larger turbines currently available at a rate of 333 turbines per year. EN-1 (3.3.20) makes clear that a net zero consistent system in 2050 is “likely to be composed predominately of wind and solar” which are “the lowest cost ways of generating electricity, helping reduce costs and providing a clean and secure source of electricity supply”.</p> <p>As set out above, there is a clear need for the Project, and therefore a clear case for proceeding with the Project.</p>
	ECO2	The risk of release of hazardous substances as a secondary effect due to any increased collision risk should be taken account of in proposals that require an authorisation.	The ES considers risks related to accidental pollution and details measures to be taken to minimise collision risk with other vessels and infrastructure are included within the Navigational Risk Assessment (APP-171). Additionally, a Project Environmental Management Plan (PEMP) will be developed post-consent and adopted, which will cover the construction and O&M phases of the Project. This will be secured through a Condition in the deemed Marine Licence. This PEMP will include a Marine Pollution Contingency Plan (MPCP), which provides protocols to cover accidental spills and potential contaminant release, and provide key emergency contact details. stances will be managed.
	BIO1	Appropriate weight should be attached to biodiversity, reflecting the need to protect biodiversity as a whole, taking account of the best available evidence including on habitats and species that are protected or of conservation concern in the East marine plans and adjacent areas (marine, terrestrial).	The ES considers impacts to marine and terrestrial ecology and identifies relevant mitigation to protected species and habitats where appropriate. In addition, the RIAA (APP-256) provides an assessment of effects on the national site network.
	BIO2	Where appropriate, proposals for development should incorporate features that enhance biodiversity and geological interests.	Current advice from relevant stakeholders is that positive effects in the marine environment cannot be considered as beneficial, such as the addition of infrastructure that could become colonised. Therefore, it is not possible / appropriate to enhance biodiversity. Impacts on biodiversity will be minimised where possible and relevant mitigation has been identified throughout the ES as set out in the Schedule of Mitigation (APP-287).
	MPA1	Any impacts on the overall Marine Protected Area network must be taken account of in strategic level measures and assessments, with due regard given to any current agreed advice on an ecologically coherent network.	The Applicant has considered relevant impacts on Marine Protected Areas (MPAs) throughout the ES and more specifically in the RIAA (AAP-235) and ES Chapter 9 Appendix 4 Marine Conservation Zone Assessment (APP-157).

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
Climate Change	CC1	Proposals should take account of: <ul style="list-style-type: none"> <li>how they may be impacted upon by, and respond to, climate change over their lifetime and</li> <li>how they may impact upon any climate change adaptation measures elsewhere during their lifetime</li> </ul> Where detrimental impacts on climate change adaptation measures are identified, evidence should be provided as to how the proposal will reduce such impacts.	<p>The Applicant within Chapters 7 to 31 of the ES has assessed how receptors will be impacted throughout the lifetime of the Project, taking into account future changes such as those as a result of climate change.</p> <p>Where changes are expected, such as from predicted sea level rise, this has been accounted for through mitigation measures.</p> <p>As an offshore wind farm, the Project will produce renewable energy and would make a significant contribution to the UKs decarbonisation targets.</p>
	CC2	Proposals for development should minimise emissions of greenhouse gases as far as is appropriate. Mitigation measures will also be encouraged where emissions remain following minimising steps. Consideration should also be given to emissions from other activities or users affected by the proposal.	<p>The Project will produce renewable energy from offshore wind, so once established will make a significant contribution to the UKs reduction of greenhouse gases.</p> <p>The Applicant has assessed the impacts of the materials and the works throughout the lifetime of the Project in ES Chapter 31 Climate Change (APP-086)..</p>
Governance	GOV1	Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa	<p>The application and ES includes infrastructure on land and in the marine area required for the development of the Project. ES Chapter 18 Marine Infrastructure and Other Users assesses the potential impact of the project on other existing or authorised activities and concludes there will be no residual significant effects.</p>
	GOV2	Opportunities for co-existence should be maximised wherever possible	
	GOV3	Proposals should demonstrate in order of preference: <ol style="list-style-type: none"> <li>that they will avoid displacement of other existing or authorised (but yet to be implemented) activities</li> <li>how, if there are adverse impacts resulting in displacement by the proposal, they will minimise them</li> <li>how, if the adverse impacts resulting in displacement by the proposal, cannot be minimised, they will be mitigated against or</li> <li>the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts of displacement.</li> </ol>	
Defence	DEF1	Proposals in or affecting Ministry of Defence Danger and Exercise Areas should not be authorised without agreement from the Ministry of Defence.	<p>ES Chapter 16 Aviation Radar Military and Communication (APP-071) assesses the impact of the Project on MoD areas and interests. The Applicant is engaged in ongoing dialogue with the MoD.</p>
Oil and Gas	OG1	Proposals within areas with existing oil and gas production should not be authorised except where compatibility with oil and gas production and infrastructure can be satisfactorily demonstrated.	<p>The Applicant continues to engage with oil and gas developers to discuss any impacts on operations that may arise from the Project.</p>

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
	OG2	Proposals for new oil and gas activity should be supported over proposals for other development	<p>The Applicant continues to engage with oil and gas developers to discuss any impacts on operations that may arise from the Project.</p> <p>The Applicant notes that in relation to the 33<sup>rd</sup> Oil and Gas Licensing Round, the Secretary of State for Net Zero made a Written Statement on 24<sup>th</sup> May 2024 in relation to Oil and Gas overlaps and Offshore Wind Projects which stated <i>“To give greater reassurance to affected offshore wind developers that oil and gas licensees will take account of their developments, and to promote co-existence, the North Sea Transition Authority has introduced a new clause in relevant licences following discussions with the Crown Estate and Crown Estate Scotland. The new clause will require the oil or gas licensee to have a co-location agreement with the affected offshore wind developer in place before any operational activity can take place in that licence area, which includes seismic surveying, drilling exploratory wells or installing subsea or surface infrastructure.”</i></p>
Offshore Wind Renewable Energy Infrastructu re	WIND1	<p>Developments requiring authorisation, that are in or could affect sites held under a lease or an agreement for lease that has been granted by The Crown Estate for development of an Offshore Wind Farm, should not be authorised unless</p> <ul style="list-style-type: none"> <li>a) they can clearly demonstrate that they will not compromise the construction, operation, maintenance, or decommissioning of the Offshore Wind Farm</li> <li>b) the lease/agreement for lease has been surrendered back to The Crown Estate and not been re-tendered</li> <li>c) the lease/agreement for lease has been terminated by the Secretary of State</li> <li>d) in other exceptional circumstances.</li> </ul>	The Project does not overlap with any sites held under lease or agreement for lease granted by The Crown Estate for the development of an Offshore Wind Farm.
	WIND2	Proposals for Offshore Wind Farms inside Round 3 zones, including relevant supporting projects and infrastructure, should be supported.	The Project was awarded seabed rights as part of The Crown Estate’s Offshore Wind Leasing Round 4, a successor leasing round to Round 3.
Tidal Stream and Wave	TIDE1	<p>In defined areas of identified tidal stream resource proposals should demonstrate, in order of preference:</p> <ul style="list-style-type: none"> <li>a) that they will not compromise potential future development of a tidal stream project</li> <li>b) how, if there are any adverse impacts on potential tidal stream deployment, they will minimise them</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	The Project does not overlap with areas proposed for tidal stream resource.

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
Carbon Capture and Storage	CCS1	Within defined areas of potential carbon dioxide storage, proposals should demonstrate in order of preference: <ol style="list-style-type: none"> <li>that they will not prevent carbon dioxide storage</li> <li>how, if there are adverse impacts on carbon dioxide storage, they will minimise them</li> <li>how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ol>	The Project does not overlap with any CCUS lease areas, The closest CCUS lease area is the Endurance project, a proposed underground saline aquifer storage reservoir located approximately 46km from the Order Limits.
	CCS2	Carbon Capture and Storage proposals should demonstrate that consideration has been given to the re-use of existing oil and gas infrastructure rather than the installation of new infrastructure (either in depleted fields or in active fields via enhanced hydrocarbon recovery).	The Project is not a CCUS project.
Ports and Shipping	PS1	Proposals that require static sea surface infrastructure or that significantly reduce under-keel clearance should not be authorised in International Maritime Organization designated routes.	The Project does not overlap with any International Maritime Organization designated routes. In ES Chapter 15 (APP-070), impacts on shipping and navigation have been assessed and mitigation and design measures detailed. The chapter also provides a description of the consultation and engagement undertaken by the Applicant.
	PS2	Proposals that require static sea surface infrastructure that encroaches upon important navigation routes should not be authorised unless there are exceptional circumstances. Proposals should: <ol style="list-style-type: none"> <li>be compatible with the need to maintain space for safe navigation, avoiding adverse economic impact</li> <li>anticipate and provide for future safe navigational requirements where evidence and/or stakeholder input allows and</li> <li>account for impacts upon navigation in-combination with other existing and proposed activities</li> </ol>	
	PS3	Proposals should demonstrate, in order of preference: <ol style="list-style-type: none"> <li>that they will not interfere with current activity and future opportunity for expansion of ports and harbours</li> <li>how, if the proposal may interfere with current activity and future opportunities for expansion, they will minimise this</li> <li>how, if the interference cannot be minimised, it will be mitigated</li> <li>the case for proceeding if it is not possible to minimise or mitigate the interference</li> </ol>	
Dredging and Disposal	DD1	Proposals within or adjacent to licensed dredging and disposal areas should demonstrate, in order of preference <ol style="list-style-type: none"> <li>that they will not adversely impact dredging and disposal activities</li> </ol>	The Project will note adversely impact dredging and disposal areas as set out in Chapter 18 Marine Infrastructure and Other Users (APP-073).

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
		<ul style="list-style-type: none"> <li>b) how, if there are adverse impacts on dredging and disposal, they will minimise these</li> <li>c) how, if the adverse impacts cannot be minimised they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	
Aggregates	AGG1	Proposals in areas where a licence for extraction of aggregates has been granted or formally applied for should not be authorised unless there are exceptional circumstances.	Chapter 4 Site Selection and Consideration of Alternatives (APP-159) details the site selection process and constraints taken into account for the ECC routeing, including amendments made following engagement with relevant aggregate extraction operators. ES Chapter 18 (APP-073) assesses aggregate licence and Exploration and Option Agreement areas within proximity to the Project.
	AGG2	Proposals within an area subject to an Exploration and Option Agreement with The Crown Estate should not be supported unless it is demonstrated that the other development or activity is compatible with aggregate extraction or there are exceptional circumstances.	
	AGG3	Within defined areas of high potential aggregate resource, proposals should demonstrate in order of preference: a) that they will not, prevent aggregate extraction b) how, if there are adverse impacts on aggregate extraction, they will minimise these c) how, if the adverse impacts cannot be minimised, they will be mitigated d) the case for proceeding with the application if it is not possible to minimise or mitigate the adverse impacts	
Subsea Cabling	CAB1	Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant	It is The Applicant's preference to bury cables and therefore only use additional cable protection where necessary for example where cable burial is not possible due to the presence of hard substrate. ES Chapter 3 Project Description (APP-058) sets out that cables will be installed to a target burial depth informed by the findings of a Cable Burial Risk Assessment as part of the final project design process undertaken post consent.
Fisheries	FISH1	Within areas of fishing activity, proposals should demonstrate in order of preference: <ul style="list-style-type: none"> <li>a) that they will not prevent fishing activities on, or access to, fishing grounds</li> <li>b) how, if there are adverse impacts on the ability to undertake fishing activities or access to fishing grounds, they will minimise them</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>d) the case for proceeding with their proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	Within ES Chapter 14 Commercial Fisheries(APP-069), the impact on fishing activity throughout the lifetime of the Project is assessed. Where there is a potential impact suitable mitigation measures are described, along with agreements sought as required. The Applicant has ongoing engagement with the fishing community in the area and with representatives of the fishing industry, the MMO and other relevant parties.
	FISH2	Proposals should demonstrate, in order of preference: <ul style="list-style-type: none"> <li>a) that they will not have an adverse impact upon spawning and nursery areas and any associated habitat</li> <li>b) how, if there are adverse impacts upon the spawning and nursery areas and any associated habitat, they will minimise them</li> </ul>	ES Chapter 10 Fish and Shellfish Ecology (APP-065) assesses the impact on fish and shellfish throughout the lifetime of the Project including known areas of spawning and nursery grounds in proximity to the Project and concludes there will be no significant adverse residual effects.

SECTION/ TOPIC	POLICY NUMBER	POLICY REQUIREMENT	ACCORDANCE WITH POLICY
		<ul style="list-style-type: none"> <li>c) how, if the adverse impacts cannot be minimised they will be mitigated</li> <li>d) the case for proceeding with their proposals if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	
Aquaculture	AQ1	<p>Within sustainable aquaculture development sites (identified through research), proposals should demonstrate in order of preference:</p> <ul style="list-style-type: none"> <li>a) that they will avoid adverse impacts on future aquaculture development by altering the sea bed or water column in ways which would cause adverse impacts to aquaculture productivity or potential</li> <li>b) how, if there are adverse impacts on aquaculture development, they can be minimised</li> <li>c) how, if the adverse impacts cannot be minimised they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	The Project is not in proximity to aquaculture development sites.
Tourism and recreation	TR1	<p>Proposals for development should demonstrate that during construction and operation, in order of preference:</p> <ul style="list-style-type: none"> <li>a) they will not adversely impact tourism and recreation activities</li> <li>b) how, if there are adverse impacts on tourism and recreation activities, they will minimise them</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	The Project will not adversely impact tourism and recreation activities. ES Chapter 18 Marine Infrastructure and Other Users (APP-073) and ES Chapter 29 Socio-Economic Characteristics (APP-084) assess the impact on existing tourism and recreational users and activities within proximity to the Project. Any impacts will be mitigated, as described in the chapters, reducing the impact to minimal.
	TR2	<p>Proposals that require static objects in the East marine plan areas, should demonstrate, in order of preference:</p> <ul style="list-style-type: none"> <li>a) that they will not adversely impact on recreational boating routes</li> <li>b) how, if there are adverse impacts on recreational boating routes, they will minimise them</li> <li>c) how, if the adverse impacts cannot be minimised, they will be mitigated</li> <li>d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse impacts</li> </ul>	

A coastal landscape featuring a path that winds through a marshy area. The path is composed of light-colored sand or silt, interspersed with patches of water. To the left of the path, there is dense, tall grass and some low-lying shrubs. The background shows a flat expanse of land meeting a cloudy sky. The overall scene is serene and natural.

**Outer Dowsing Offshore Wind**

**Project Statements**

Policy Compliance Document

East Lindsey Local Plan Core  
Strategy

Company:		<b>Outer Dowsing Offshore Wind</b>		Asset:	<b>Whole Asset</b>	
Project:		<b>Whole Wind Farm</b>		Sub Project/Package:	Whole Asset	
Document Title or Description:		Policy Compliance Document				
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## 7 East Lindsey Local Plan Core Strategy (July 2018)

Table 1: East Lindsey Local Plan Core Strategy (July 2018)

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
Sustainable Development	Strategic Policy (SP2)	<p>1. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p>	<p>The Project represents an excellent opportunity to make a contribution to achieve the presumption of sustainable development, which is contained within the NPPF, at both local and national scales. This is because, the Project will deliver up to 100 wind turbines with a capacity of 1.5GW that will support the UK in its transition to a low carbon economy, helping meet the ambition of 50GW of offshore wind by 2030 and net zero emissions by the year 2050.</p> <p>This will not only contribute to energy security in the short-term, but will safeguard the needs of future generations, by supporting the creation of a resilient energy network that will meet future demand.</p> <p>Alongside this overarching environmental benefit, the Project will secure several social and economic benefits that are detailed across the ES. To give one example, Chapter 29 Socio-Economic Characteristics (document reference APP-084) outlines how the Project will deliver positive impacts on the local economy and employment which will support the UK Government ambition to deliver support up to 27,000 jobs within the wind sector as by 2030.</p> <p>Furthermore, as the Project makes a substantial contribution to a lowering of the UKs greenhouse gas emissions and consequent delivery of affordable and clean energy, the following impacts that are associated with global climate change (as identified by the IPCC (DECC, 2014)) will be lowered as a result of the Project:</p> <ul style="list-style-type: none"> <li>▪ Increased frequency of extreme weather events such as floods and drought;</li> <li>▪ Reduced food supplies;</li> <li>▪ Impacts on human health;</li> <li>▪ Increased poverty; and</li> <li>▪ Ecosystem impacts, including species extinction.</li> </ul> <p>It is also important to note that the Project has undergone an iterative design process involve several rounds of consultation with relevant stakeholders and engagement. Such discussions have been influential in shaping the Project and have supported the Applicant in ensuring social equality, economic well-being and environmental protection will be secured and promoted as a consequence of the development. Further commentary can be found within of Chapter 4 Site Selection</p>

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
			and Consideration of Alternatives Site Selection and Consideration of Alternatives (document reference APP-059).
Design	Strategic Policy 10 (SP10)	<p>The Council will support well-designed sustainable development, which maintains and enhances the character of the District’s towns, villages and countryside.</p> <p>Several criteria are set out to achieve this ambition, which includes:</p> <ul style="list-style-type: none"> <li>▪ Where possible supporting the use of brownfield land for development, unless it is of high environmental value, seeking to use areas of poorer quality agricultural land in preference to that of a higher quality.</li> <li>▪ Ensuring it is easy for everyone to get around by incorporating safe and attractive roads, cycleways and footways that enable people of all abilities to access shops, jobs, schools and other community facilities.</li> <li>▪ Providing on-site landscaping to integrate the development into its wider surroundings and make provision for open space.</li> <li>▪ Development will be supported where it can demonstrate that its design incorporates sustainable features and/or renewables and that the development could be adapted in the future for other uses in that it is development that will become a high quality integrated part of the built environment over many generations.</li> <li>▪ Supporting development that includes measures to recycle, re-use or reduce the demand for finite resources. New development should be designed to Building Regulation water consumption standard for water scarce areas, to not exceed 110 litres per day per person.</li> <li>▪ Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source.</li> </ul>	<p>The site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)) for the Project has been iterative and involved early engagement with several stakeholders and community groups.</p> <p>The site selection process considered a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding. The sensitivity of the surrounding landscape and of residents, road-users, workers and recreational users of the landscape was also a key consideration.</p> <p>The Applicant has produced an OLEMS (document reference APP-284) which includes a mitigation planting plan to ensure the development is both sympathetic to the local landscape, Further to this, the Applicant has sought to managed features like open spaces and recreational routes through the preparation of an Outline Public Access Management Plan (document reference APP-291).</p>
Historic Environment	Strategic Policy (SP11)	<ol style="list-style-type: none"> <li>1. The Council will support proposals that secure the continued protection and enhancement of heritage assets in East Lindsey, contribute to the wider vitality and regeneration of the areas in which they are located and reinforce a strong sense of place.</li> <li>2. Proposals will be supported where they: <ul style="list-style-type: none"> <li>▪ Preserve or enhance heritage assets and their setting;</li> <li>▪ Preserve or enhance the special character, appearance and setting of the District’s Conservation Areas. Proposals should take into account the significance of Conservation Areas including spaces, street patterns, views vistas and natural features, and reflect this in their layout, scale, design, detailing, and materials;</li> </ul> </li> </ol>	<p>As part of the Project’s iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)) areas most sensitive for their heritage value have been avoided.</p> <p>Chapter 20 Onshore Archaeology and Cultural Heritage (document reference APP-075) considers heritage assets within East Lindsey and concludes that following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant indirect impacts have been identified to heritage assets or non-designated heritage assets.</p>

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
		<ul style="list-style-type: none"> <li>▪ Have particular regard to the special architectural or historic interest and setting of the District’s Listed Buildings. Proposals will be expected to demonstrate that they are compatible with the significance of a listed building including fabric, form, setting and use;</li> <li>▪ Do not harm the site or setting of a Scheduled Monument; any unscheduled nationally important or locally significant 59 Adopted July 2018 archaeological site. Appropriate evaluation, recording or preservation in situ is required and should be undertaken by a suitably qualified party;</li> <li>▪ Preserve or enhance the quality and experience of the historic landscapes and woodlands of the District and their setting;</li> <li>▪ Are compatible with the significance of non-designated heritage assets in East Lindsey;</li> <li>▪ Do not have a harmful Cumulative impact on heritage assets;</li> <li>▪ Promote a sustainable and viable use which is compatible with the fabric, interior, surroundings and setting of the heritage asset, and;</li> <li>▪ Conserve heritage assets identified as being at risk, ensuring the optimum viable use of an asset is secured where it is consistent with the significance of the heritage asset.</li> </ul>	<p>The mitigation set out within the chapter ensures the Project will both preserve and enhances the value of heritage assets. This includes proposed planting that would substantially screen the proposals and remove any operational impact.</p> <p>ES Chapter 20 Appendix 2 Heritage Statement (APP-188) has been prepared in respect to potential indirect (setting) effects to all heritage assets. In this context it identifies sensitive assets within the Project’s Order Limits and its vicinity, and discusses their significance, in accordance with the National Planning Policy Framework (NPPF) (2023) paragraph 200 and the Overarching National Policy Statement for Energy (EN1) paragraph 5.9.10 .</p> <p>An Outline Onshore WSI (APP-283) and Outline Marine Archaeological WSI (APP-282) have been provided in support of the application. The requirements and conditions set out in the DCO and DMLs ensure the submission of onshore and offshore WSIs respectively which are to accord with the outline plans.</p>
Inland Flood Risk	Strategic Policy 16 (SP16)	<p>Several criteria in relation to inland flood risk is set out within Policy SP16, which includes:</p> <ul style="list-style-type: none"> <li>▪ The Council will support development for business, leisure and commercial uses in areas of inland flood risk where it can be demonstrated that accommodating the development on a sequentially safer site would undermine the overall commercial integrity of the existing area. Such developments must incorporate flood mitigation measures in their design.</li> <li>▪ The Council will support development that demonstrates an integrated approach to sustainable drainage that has positive gains to the natural environment.</li> <li>▪ The Council will not support development in identified flood storage areas.</li> </ul>	<p>As outlined within Chapter 24 Hydrology and Flood Risk (document reference APP-079), the Applicant has proposed several measures that mean that the likely overall effect of the Project on water quality and flood risk throughout the construction, operation and decommissioning of the Project is not significant with regards the EIA Regulations.</p> <p>Key to limiting the flood risk is the Project design and site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059APP-059)) via the careful routing of the onshore ECC and design of key crossing points (flood defence structures, Main Rivers, non-main and ordinary watercourses, IDB watercourses, roads, utilities, etc.), including the use of Trenchless techniques to avoid key areas of sensitivity.</p> <p>A Outline CoCP (document reference APP-268) has been prepared that sets out the principles to be followed when the OCoCP is finalised and secured as a condition of the DCO. The OCoCP consists of measures to control the impacts of watercourse crossings and crossings beneath flood defences. The crossing points and crossing types have been specified to ensure that construction does not result in significant alteration to the existing hydrological regimes or an increase in fluvial or tidal flood risk.</p>

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			<p>Other measures include the OnSS design which includes a surface water drainage scheme, based on the SuDS principles, which will manage rainfall runoff from the proposed substation and will not increase flood risk locally or in the wider area (see Flood Risk Assessment: Onshore ECC and 400kV (document reference: APP-211).</p>
Coastal East Lindsey	Strategic Policy 17 (SP17)	<p>The Council will give a high priority to development that extends and diversifies all-year round employment opportunities, contributes directly to the local economy, infrastructure or extends and diversifies the tourism market.</p> <p>2. The Council will support improvements to the existing flood defences, the creation of new flood defences and infrastructure associated with emergency planning.</p> <p>3. New and replacement community buildings will be supported, providing they are located within or adjoining an existing settlement. 89 Adopted July 2018</p> <p>4. Development will need to demonstrate that it satisfies the Sequential and Exception Test as set out in Annex 2 of this Plan.</p> <p>5. All relevant development will need to provide adequate flood mitigation.</p>	<p>Chapter 29 Socio-economic Characteristics (document reference APP-084) concludes that the Project will have minor and not significant, beneficial effects on the economy of the Local Economic Area during the development and construction, the Project will secure new employment opportunities, particularly within the construction phases that will support the Government ambition to deliver support up to 27,000 jobs within the wind sector as by 2030.</p> <p>In relation to Policy 17s requirements relating to flooding, further detail is provided within Chapter 24 Hydrology and Flood Risk (document reference APP-079). However, in short, the Project effect on water quality and flood risk throughout the construction, operation and decommissioning of The Project is not significant with regards the EIA Regulations. This is due to the overall design of the Project which has avoided key areas of sensitivity and the proposed mitigation which will be secured within the OCOCP (document reference APP-268). Please also see the Applicant’s response to Part 5.8 of EN-1.</p> <p>In respect of the sequential and exception tests, please see the Applicant’s response to paragraphs 5.8.7-5.8.11. Sections of the OnSS and ECC are located within flood zones 2 and 3, therefore the sequential and exception tests have been applied within the below noted FRAs which conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <ul style="list-style-type: none"> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul>
Landscape	Strategic Policy 23 (SP23)	<p>1. The District’s landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the District’s Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection.</p>	<p>As outlined within Chapter 28 Landscape and Visual Assessment Landscape and Visual Impact Assessment (document reference APP-083), the design of the Project has been designed to preserve and</p>

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		<p>2. Development will be supported where it allows for greater public access to the countryside and naturalistic coast, supports visitors to the District and helps provide additional employment opportunities, provided this does not compromise landscape quality or the biodiversity objectives of the plan.</p> <p>3. The Council will ensure that the distinctive character of the District’s landscapes whether they are of cultural, natural or historic significance, will not be compromised. In particular, the highest level of protection will be given to the Lincolnshire Wolds Area of Outstanding Natural Beauty, which is designated at a national level because of its landscape quality.</p> <p>4. The Council will support development that conserves and enhances designated and historic landscapes (Winceby Battlefield, Lincolnshire Wolds, Coastal Country Park, Conservation Areas, Historic Parks and Gardens, setting of listed buildings within the landscape) as focal points for widening and improving the visitor experience.</p>	<p>enhance the districts landscape, whilst not limited opportunities for interaction and access to the countryside and coast.</p> <p>The Applicant has sought to manage features like open spaces, PRoWs and recreational routes through the preparation of an Outline Public Access Management Plan (document reference APP-291).</p> <p>In addition, the Applicant has produced an OLEMS (document reference APP-284) which sets out several measures to raise the design quality of the Project, whilst also leading to biodiversity enhancements, including measures like mitigation planting. In addition, the Applicant is committed to deliver benefits to the natural and local environment as outlined within the Biodiversity Net Gain Report Principles and Approach (document reference APP-302).</p>
Biodiversity and Geodiversity	Strategic Policy 24 (SP24)	<p>:</p> <p>1. Development proposals should seek to protect and enhance the biodiversity and geodiversity value of land and buildings, and minimise fragmentation and maximise opportunities for connection between natural habitats.</p> <p>2. The Council will protect sites designated internationally, nationally or locally for their biodiversity and geodiversity importance, species populations and habitats identified in the Lincolnshire Biodiversity Action Plan and the Natural Environment and Rural Communities (NERC) Act 2006. Development, which could adversely affect such a site, will only be permitted in exceptional circumstances:</p> <ul style="list-style-type: none"> <li>• In the case of internationally designated sites, where there is no alternative solution and there are overriding reasons of public interest for the development;</li> <li>• In the case of nationally designated sites, there is no alternative solution and the reasons for the development clearly outweigh the biodiversity value of the site; or</li> <li>• In the case of locally designated sites, and sites that meet the criteria for selection as a Local Site, the reasons for the development clearly outweigh the need to protect the site in the long term.</li> </ul> <p>3. In exceptional circumstances, where adverse impacts are demonstrated to be unavoidable and development is permitted which would damage the nature conservation or geological value of a site, the Council will ensure that such damage is kept to a minimum and will ensure appropriate mitigation, compensation or enhancement of the site through the use of planning conditions or planning obligations. Compensation measures towards loss of habitat will be used only as a last resort where there is no alternative. Where any mitigation and compensation measures are required, they should be in place before development activities</p>	<p>The Applicant has also committed to several measures to deliver biodiversity and geodiversity enhancements. This includes the OLEMS (document reference APP-284) that sets out a number of high quality design measures that will also deliver biodiversity enhancements at the same time, such as the implementation of mitigation planting.</p> <p>In addition, the Applicant is committed to deliver benefits to the natural and local environment which is realised within the Biodiversity Net Gain Report Principles and Approach (document reference APP-302) outlines the commitment of the Project to adopting Biodiversity Net Gain.</p> <p>Chapter 21 Onshore Ecology (document reference APP-076) also outlines how the Project has considered specific policy relating to biodiversity and designated sites.</p> <p>In respect of point 2and 3 please see the Applicant’s response to paragraph 4.2.9 of EN-1 which outlines the HRA process.</p> <p>In respect of point 5 please see the Applicant’s response to paragraph 5.4.14-5.4.15 in respect of veteran trees. Ancient woodlands have been scoped out of the assessment as there are no designations within the Order Limits or study area.</p>

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
		<p>start that may disturb protected or important habitats and species. Proposals to provide or enhance a site will be supported.</p> <p>4. . Where new habitat is created it should, where possible, be linked to other similar habitats to provide a network of such sites for wildlife.</p> <p>5. Planning permission will only be granted for development which directly or indirectly leads to loss or harm to ancient woodland or aged or veteran trees, in exceptional circumstances, where the developer can demonstrate that the wider benefits of that loss clearly outweigh the protection of the trees.</p>	
Green Infrastructure	Strategic Policy (SP25)	<p>1 The Council will safeguard and deliver a network of accessible green infrastructure by:</p> <ul style="list-style-type: none"> <li>• Protecting and safeguarding all greenspace identified through the Settlement Proposals DPD so that there is no net loss;</li> <li>• Maximising opportunities for new and enhanced green infrastructure and publicly accessible open spaces in and around all communities;</li> <li>• Seek opportunities to connect existing green infrastructure to improve the network of spaces and accessibility for both the local population and wildlife.</li> </ul>	<p>The Applicant has also given great consideration to green infrastructure networks, which guided the site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)). Green infrastructure assets including coastal access routes and PRoWs will be managed by the Public Access Management Plan (document reference APP-291).</p> <p>The Applicant has produced an OLEMS (document reference APP-284) that sets out a number of high quality design measures that will also deliver biodiversity enhancements at the same time.</p>
Renewable and Low Carbon Energy	Strategic Policy (SP27)	<p>Large-scale renewable and low carbon energy development, development for the transmission and interconnection of electricity, and infrastructure required to support such development, will be supported where their individual or Cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to:</p> <ol style="list-style-type: none"> <li>a) residential amenity;</li> <li>b) surrounding landscape, townscape and historic landscape character, and visual qualities;</li> <li>c) the significance (including the setting) of a historic garden, park, battlefield, building, conservation area, archaeological site or other heritage asset;</li> <li>d) sites or features of biodiversity or geodiversity importance, or protected species;</li> <li>e) the local economy;</li> <li>f) highway safety; and</li> <li>g) water environment and water quality</li> </ol>	<p>The Project will make a substantial contribution to tackling climate change nationally through the delivery of up to 100 turbines with a capacity of 1.5GW that will support the UK in meeting net zero ambitions and support the delivery of clean and affordable energy.</p> <p>This is whilst being sympathetic to all the benefits and considerations listed within Policy 27, which have been managed most pertinently through the iterative site selection and design process which has ensured areas that are most sensitive, and their significance have been avoided and preserved. The site selection process evidences this (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)), which considers a range of environmental and technical constraints, including ensuring a good separation from settlement and rural properties, avoiding landscape elements, such as woodlands, trees and hedgerows, and considering issues such as surface water flooding.</p>
Infrastructure and S106 Obligations	Strategic Policy (SP28)	<ol style="list-style-type: none"> <li>1. Infrastructure schemes will be supported provided they are essential in the national interest; contribute to sustainable development and respect the distinctive character of the district.</li> <li>2. Infrastructure schemes should be accompanied by an impact assessment that shows how the proposal impacts on the landscape or local setting of the area, including</li> </ol>	<p>As outlined in the Project’s response to paragraph 3.3.62 of EN-1 the Project is classified as critical national infrastructure.</p> <p>The Application has included an ES setting out the EIA which includes LVIA, SLVIA and cumulative effects.</p>

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
		<p>individual and cumulative effects. It should identify what steps have been taken to minimize its effects and the alternative options that have been considered.</p> <p>3. The Council will support the delivery of infrastructure where it contributes to sustaining local communities.</p> <p>4. Developer contributions on major schemes (10 or more dwellings or major other development) will be sought towards the delivery of infrastructure where it is shown to be necessary for the development to proceed.</p> <p>5. The Council will only support proposals for development where it has been shown that adequate capacity is available, or can be provided by the utility providers to meet the additional loads associated with serving the development.</p>	<p>Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)) sets out the iterative process undertaken in respect of the Project’s design including the consideration of alternative routes.</p>

A coastal landscape featuring a path that winds through a marshy area. The path is covered in a layer of white sand or snow, with patches of green and brown vegetation. The background shows a flat expanse of land meeting a cloudy sky. The overall scene is serene and natural.

**Outer Dowsing Offshore Wind**

**Project Statements**

**Policy Compliance Document**

**South East Lincolnshire Local Plan**

Company:		<b>Outer Dowsing Offshore Wind</b>		Asset:		<b>Whole Asset</b>	
Project:		<b>Whole Wind Farm</b>		Sub Project/Package:		Whole Asset	
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1.0	March 2024	Holding Statement	Outer Dowsing	Outer Dowsing	Outer Dowsing	Outer Dowsing	
2.0	August 2024	Response to Rule 17 Letter dated 3 July 2024	SLR	Shepperd & Wedderburn	Outer Dowsing	Outer Dowsing	

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## 8 South East Lincolnshire Local Plan Compliance

Table 1: South East Lincolnshire Local Plan Compliance

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
Development Management	Policy 2	<p>Proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to:</p> <ol style="list-style-type: none"> <li>1. size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses;</li> <li>2. quality of design and orientation;</li> <li>3. maximising the use of sustainable materials and resources;</li> <li>4. access and vehicle generation levels;</li> <li>5. the capacity of existing community services and infrastructure;</li> <li>6. impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion;</li> <li>7. sustainable drainage and flood risk;</li> <li>8. impact or enhancement for areas of natural habitats and historical buildings and heritage assets; and</li> <li>9. impact on the potential loss of sand and gravel mineral resources.</li> </ol>	<p>All the points outlined within Policy 2 have been addressed throughout the ES, particularly the design and site selection process:</p> <ul style="list-style-type: none"> <li>▪ Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)) sets out the iterative process undertaken. This also addresses the criterion related to neighbouring land uses, as areas most sensitive to noise, odour, disturbance and visual intrusion have been avoided.</li> <li>▪ Chapter 3 Project Description (document reference APP-058) details the Project’s design, the components which make up the onshore and offshore infrastructure and the activities associated with the whole lifecycle of the Project.</li> <li>▪ The management of surface water is considered within ES Chapter 24 Hydrology Hydrogeology and Flood Risk (document reference APP-079), this is supported by a Groundwater Risk Assessment (GWRA) (APP-210).The approach to managing surface water is set out in an Outline Surface Water Drainage Strategy (document reference: APP-273) that has been provided as part of the Outline CoCP (document reference APP-268). An Outline Operational Drainage Management Plan (document reference APP-286) has also been provided for the operational phase of the OnSS.</li> <li>▪ ES Chapter 20: Onshore Archaeology and Cultural Heritage (document reference APP-075) - Mitigation includes the project design to prevent or reduce potential impacts on Archaeology and Cultural Heritage receptors include implementation of an agreed programme of archaeological investigation work during construction to ensure that any heritage assets are identified and recorded. An outline version of the Onshore Written Scheme of Investigation has been provided with the application (document reference APP-283).</li> </ul>
Design of New Development	Policy 3	<p>All development will create distinctive places through the use of high quality and inclusive design and layout and, where appropriate, make innovative use of local traditional styles and materials. Design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.</p> <p>Development proposals will demonstrate how the following issues, where they are relevant to the proposal, will be secured:</p>	<p>The Project has been subject to an iterative design and site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)), which has contributed to the Project being appropriate to its local context, whilst maximizing opportunities for improving the local character and quality. The iterative process has comprised constraints mapping, assessment and continued consultation undertaken to identify the project design for the offshore</p>

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
		<ol style="list-style-type: none"> <li>1. creating a sense of place by complementing and enhancing designated and non designated heritage assets; historic street patterns; respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area;</li> <li>2. distinguishing between private and public space;</li> <li>3. the landscape character of the location;</li> <li>4. accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways;</li> <li>5. the provision of facilities for the storage of refuse/recycling bins, storage and/or parking of bicycles and layout of car parking;</li> <li>6. the lighting of public places;</li> <li>7. ensuring public spaces are accessible to all;</li> <li>8. crime prevention and community safety;</li> <li>9. the orientation of buildings on the site to enable the best use of decentralised and renewable low-carbon energy technologies for the lifetime of the development;</li> <li>10.the appropriate treatment of facades to public places, including shop frontages to avoid visual intrusion by advertising, other signage, security shutters, meter boxes and other service and communication infrastructure;</li> <li>11.residential amenity;</li> <li>12.the mitigation of flood risk through flood-resistant and flood-resilient design and sustainable drainage systems (SuDS);</li> <li>13.the use of locally sourced building materials, minimising the use of water and minimising land take, to protect best and most versatile soils;</li> <li>14.the incorporation of existing hedgerows and trees and the provision of appropriate new landscaping to enhance biodiversity, green infrastructure, flood risk mitigation and urban cooling;</li> <li>15.the appropriate use or reuse of historic buildings.</li> </ol>	<p>ECC, landfall, onshore ECCs and OnSS Study Areas. This has been undertaken to ensure to ensure the Project can make the greatest contribution to renewable energy targets as possible, whilst minimising environmental impacts and following principles of good design.</p> <p>Principles of good design are also outlined throughout that contribute to enhancing the quality of local area. The OLEMS (document reference APP-268) sets out several measures to raise the design quality of the Project, whilst also leading to biodiversity enhancements. This includes the sensitive siting of the Onshore infrastructure during site selection and measures like mitigation planting. Further information relating to biodiversity can be found within Biodiversity Net Gain Report Principles and Approach (document reference APP-302).</p> <p>Site specific flood risk assessments have been undertaken:</p> <ul style="list-style-type: none"> <li>▪ ES Chapter 24 Appendix 24.2: Flood Risk Assessment: Onshore ECC and 400kV cable corridor (document reference APP-211);</li> <li>▪ ES Chapter 24 Appendix 24.3: Flood Risk Assessment: Onshore Substation (document reference APP-212);</li> </ul>
Approach to Flood Risk	Policy 4	<p>Development proposed within an area at risk of flooding (Flood Zones 2 and 3 of the Environment Agency’s flood map or at risk during a breach or overtopping scenario as shown on the flood hazard and depths maps in the SFRA) will be permitted, where:</p> <ul style="list-style-type: none"> <li>▪ It can be demonstrated that there are no other sites available at a lower risk of flooding (i.e., that the sequential test is passed). <ul style="list-style-type: none"> <li>▪ It can be demonstrated that essential infrastructure in FZ3a &amp; FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 provide wider sustainability benefits to the community that outweigh flood risk.</li> <li>▪ The application is supported with a site-specific flood risk assessment, covering risk from all sources of flooding including the impacts of climate change and which: <ul style="list-style-type: none"> <li>▪ demonstrate that the vulnerability of the proposed use is compatible with the flood zone;</li> <li>▪ identify the relevant predicted flood risk (breach/overtopping) level, and mitigation measures that demonstrate how the development will be made safe and that occupants will be protected from flooding from any source;</li> </ul> </li> </ul> </li> </ul>	<p>As outlined within Chapter 24 Hydrology and Flood Risk Hydrology and Flood Risk (document reference APP-079) throughout the construction, operation and decommissioning of the Project is not deemed significant under the EIA Regulations.</p> <p>The Project has demonstrated through the ES (document reference APP-055) that it is resilient to climate change and has been developed with a full understanding of the potential consequences of climate change and has been incorporated mitigation measures embedded in the design. Please see the Applicant’s response to part 4.10 of EN-1</p> <p>The above FRAs have identified appropriate mitigation measures to ensure that the there are no significant effects in relation to flooding under EIA Regulations. Surface water drainage measures would be implemented to ensure that runoff from the site is managed and restricted to rates agreed with relevant IDB, thereby not increasing surface water flood risk. A range of feasible SUDS techniques could be</p>

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		<ul style="list-style-type: none"> <li>▪ propose appropriate flood resistance and resilience measures (following the guidance outlined in the SFRA), maximising the use of passive resistance measures (measures that do not require human intervention to be deployed), to ensure the development maintains an appropriate level of safety for its lifetime;</li> </ul> <p>d. include appropriate flood warning and evacuation procedures where necessary (referring to the County’s evacuation routes plan), which have been undertaken in consultation with the authority’s emergency planning staff;</p> <ul style="list-style-type: none"> <li>▪ incorporates the use of SuDS (unless it is demonstrated that this is not technically feasible) and confirms how these will be maintained/managed for the lifetime of development (surface water connections to the public sewerage network will only be permitted in exceptional circumstances where it is demonstrated that there are no feasible alternatives);</li> <li>▪ demonstrates that the proposal will not increase risk elsewhere and that opportunities through layout, form of development and green infrastructure have been considered as a way of providing flood betterment and reducing flood risk overall;</li> <li>▪ demonstrates that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;</li> <li>▪ ensures suitable access is safeguarded for the maintenance of water resources, drainage and flood risk management infrastructure.</li> </ul> <p>Development in all flood zones, and development over 1ha in size in Flood Zone 1, will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties. No development will be permitted within a 50m buffer from the toe of the raised Witham Haven Banks (flood defences), as shown on the indicative Plan contained in Appendix 10, to allow access for construction and maintenance. Flood risk management infrastructure shall be provided at the strategic level, where development opportunities allow, to reduce the hazard and probability of flooding.</p>	<p>used to achieve this, e.g. infiltration features or surface water detention areas.</p> <p>In respect of the sequential and exception tests: Please see the Applicant’s response to paragraphs 5.8.7-5.8.11. Sections of the OnSS and ECC are located within flood zones 2 and 3, therefore the sequential and exception tests have been applied within the below noted FRAs which conclude that the perceived level of flood risk to, and caused by the construction, maintenance, and operation of the onshore ECC is low, and the Project would be safe, without increasing flood risk elsewhere.</p> <ul style="list-style-type: none"> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment OnSS (APP-212); and</li> <li>▪ Chapter 24, Appendix 3: Flood Risk Assessment ECC and 400kV (APP-211).</li> </ul>
Improving South East Lincolnshire’s Employment Land Portfolio	Policy 7	The South East Lincolnshire authorities will, in principle, support proposals which assist in the delivery of economic prosperity and some 17,600 jobs in the area, 3,800 in Boston Borough and 13,800 in South Holland District.	<p>As outlined within Chapter 29 Socio-Economic Characteristics (document reference APP-084), the Project will result in the creation of new employment opportunities, which is expected to peak in Q3 of 2029, when the Project will support:</p> <ul style="list-style-type: none"> <li>▪ 680 jobs in the LEA;</li> <li>▪ 810 jobs in the Regional Area; and</li> <li>▪ 1,200 jobs across the UK.</li> </ul> <p>The Project will also support economic prosperity which is sought under Policy 7. Economic activity will also peak in Q3 of 2029, when the direct and indirect economic impacts of the Project will support the annual equivalent of:</p> <ul style="list-style-type: none"> <li>▪ £50 million GVA in the LEA;</li> <li>▪ £60 million GVA in the Regional Area; and</li> <li>▪ £110 million in the UK.</li> </ul>

SECTION/ TOPIC	Policy Number	Policy Requirement	Accordance with Policy
The Natural Environment	Policy 28	<p>A high quality, comprehensive ecological network of interconnected designated sites, sites of nature conservation importance and wildlife-friendly greenspace will be achieved by protecting, enhancing and managing natural assets:</p> <ul style="list-style-type: none"> <li>▪ Internationally designated sites, on land or at sea;</li> <li>▪ Nationally or locally designated sites and protected or priority habitats and species;</li> <li>▪ Addressing gaps in the ecological network.</li> </ul>	<p>Please see the Applicant’s response to paragraph 4.2.9 of EN-1 in respect of the HRA process, conclusions of the RIAA and an overview of the consideration of alternatives, IROPI and compensatory measures.</p> <p>As part of the embedded mitigation within Chapter 21 Onshore Ecology (document reference APP-076) the siting of the landfall, onshore ECC and design of key crossing points has avoided direct impacts to designated sites, including SSSIs, LWSs and LWT reserves. This is part of the overall project design and site selection process which has been iterative as a way to limit harm to environment and local communities (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)).</p> <p>The Applicant has also committed to several measures to deliver biodiversity and geodiversity enhancements. This includes the OLEMS (document reference APP-284) that sets out high quality design measures that will deliver biodiversity enhancements at the same time, including measures like mitigation planting.</p> <p>In addition, the Applicant is committed to deliver benefits to the natural and local environment as outlined within the Biodiversity Net Gain Report Principles and Approach (document reference APP-302).</p>
The Historic Environment	Policy 29	<p>Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced. Opportunities to identify a heritage asset’s contribution to the economy, tourism, education and the local community will be utilised including:</p> <ul style="list-style-type: none"> <li>▪ The historic archaeological and drainage landscape of the Fens;</li> <li>▪ The distinctive character of South East Lincolnshire market towns and villages;</li> <li>▪ The dominance within the landscape of church towers, spires and historic windmills.</li> </ul> <p>To respect the historical legacy, varied character and appearance of South East Lincolnshire’s historic environment, development proposals will conserve and enhance the character and appearance of designated and nondesignated heritage assets, such as important known archaeology or that found during development, historic buildings, conservation areas, scheduled monuments, street patterns, streetscapes, landscapes, parks (including Registered Parks and Gardens), river frontages, structures and their settings through high-quality sensitive design.</p>	<p>As part of the Project’s iterative site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)) comprehensive engagement has been undertaken with stakeholders, communities and landowners and key locational decisions and constraints have been account for which has contributed to areas most sensitive in terms of their heritage value being avoided.</p> <p>This is supported by the conclusions of Chapter 20 Onshore Archaeology and Cultural Heritage (document reference APP-075) which considers heritage assets within East Lindsey and concludes that following the implementation of an approved programme of mitigation measures through preservation by record or preservation in situ (if appropriate), no significant indirect impacts have been identified to heritage assets or non-designated heritage assets.</p> <p>The mitigation set out within the chapter ensures the Project both preserves and enhances the value of heritage assets. See Section 20.5.3 of Chapter 20 Onshore Archaeology and Cultural Heritage (document reference APP-075) which provides an overview of the relevant mitigation.</p>

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Pollution	Policy 30	<p>Development proposals will not be permitted where, taking account of any proposed mitigation measures they would lead to unacceptable adverse impacts upon:</p> <ol style="list-style-type: none"> <li>1. health and safety of the public;</li> <li>2. the amenities of the area; or</li> <li>3. the natural, historic and built environment;</li> </ol> <p>by way of:</p> <ol style="list-style-type: none"> <li>4. air quality, including fumes and odour;</li> <li>5. noise including vibration;</li> <li>6. light levels;</li> <li>7. land quality and condition; or</li> <li>8. surface and groundwater quality.</li> </ol> <p>Planning applications, except for development within the curtilage of a dwelling house as specified within Schedule 2, Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015, or successor statutory instrument, must include an assessment of:</p> <ol style="list-style-type: none"> <li>9. impact on the proposed development from poor air quality from identified sources;</li> <li>10. impact on air quality from the proposed development; and</li> <li>11. impact on amenity from existing uses.</li> </ol>	<p>All of the points outlined within Policy 30 have been addressed within the ES, which states that there would not be any impact on the health and safety of the public, amenities of the area and the natural, historic and built environment. This has been achieved by the design and site selection process (see Chapter 4 Site Selection and Consideration of Alternatives (document reference APP-059)).</p> <p>Mitigation measures that have been proposed by the Applicant to prevent adverse impacts:</p> <ul style="list-style-type: none"> <li>▪ in relation to air quality (see Chapter 19 Onshore Air Quality (document reference APP-074)) include the Outline Air Quality Management Plan (document reference APP-270) which details control measures which are required to prevent/avoid or reduce and mitigate potential impacts from construction dust.</li> <li>▪ In relation to noise and vibration (see Chapter 26 Noise and Vibration (document reference APP-081 ) include the Outline Noise and Vibration Management Plan (document reference APP-269)</li> <li>▪ In relation to surface and ground water quality mitigation and best practice is outlined in the Outline Surface Water Drainage Strategy (document reference APP-273)</li> </ul>
Climate Change and Renewable and Low Carbon Energy	Policy 31	<p>A. Climate Change</p> <p>All development proposals will be required to demonstrate that the consequences of current climate change have been addressed, minimised and mitigated by:</p> <ol style="list-style-type: none"> <li>1. employing a high quality design;</li> <li>2. the adoption of the sequential approach and Exception Test to flood-risk and the incorporation of flood-mitigation measures in design and construction to reduce the effects of flooding, including SuDS schemes for all 'Major' applications;</li> <li>3. the protection of the quality, quantity and availability of water resources, including for residential developments, complying with the Building Regulation water efficiency standard of 110 litres per person per day;</li> <li>4. reducing the need to travel through locational decisions and, where appropriate, providing a mix of uses;</li> <li>5. incorporating measures which promote and enhance green infrastructure and provide an overall net gain in biodiversity as required by Policy 28 to improve the resilience of ecosystems within and beyond the site.</li> </ol> <p>B. Renewable Energy</p> <p>With the exception of Wind Energy, the development of renewable energy facilities, associated infrastructure and the integration of decentralised technologies on existing or proposed structures will be permitted provided, individually, or cumulatively, there would be no significant harm to:</p> <ol style="list-style-type: none"> <li>1. visual amenity, landscape character or quality, or skyline considerations;</li> </ol>	<p>The Applicant has accounted for future consequences of climate change, as outlined within Chapter 31 Climate Change (document reference APP-086). Please also see the Applicant's response to Part 4.10 of EN-1: Climate Change Adaptation and Resilience.</p> <p>Climate change has also been considered across all the submitted ES chapters. This includes the characterisation of flood risk within Chapter 24 Hydrology and Flood Risk (document reference APP-079) using the Environment Agency Flood Map for Planning, the local authority SFRA and data from hydraulic models, which take into account climate change effects and has informed the embedded mitigation to ensure no significant effects materialise.</p> <p>The Applicant is also committed to addressing climate through promoting sustainable transport patterns; the Outline Travel Plan (document reference APP-290) includes a range of measures including target car share ratios and compliance targets that will be measured and reported upon to ensure transport movements are done in the most sustainable manner.</p>

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		<ol style="list-style-type: none"> <li>2. residential amenity in respect of: noise, fumes, odour, vibration, shadow flicker, sunlight reflection, broadcast interference, traffic;</li> <li>3. highway safety (including public rights of way);</li> <li>4. agricultural land take;</li> <li>5. aviation and radar safety;</li> <li>6. heritage assets including their setting; and</li> <li>7. the natural environment.</li> </ol> <p>Provision should be made for post-construction monitoring and the removal of the facility and reinstatement of the site if the development ceases to be operational. Proposals by a local community for the development of renewable and low carbon sources of energy, in scale with their community's requirements, including supporting infrastructure for renewable energy projects, will be supported and considered in the context of contributing to the achievement of sustainable development and meeting the challenge of climate change and against criteria B1-7.</p>	<p>Regarding point B of Policy 31, the Project is an offshore wind generating station and therefore classified as Wind Energy which is excluded from the remit of point B.</p>
Delivering a More Sustainable Transport Network	Policy 33	<p>The Local Planning Authorities will work with partners to make the best use of, and seek improvements to, existing transport infrastructure and services within, and connecting to South East Lincolnshire, having considered first solutions that are based on better promotion and management of the existing network and the provision of sustainable forms of travel.</p>	<p>The Applicant has considered the impacts upon existing transport infrastructure and has employed initiatives to advocate sustainable modes of travel. These include:</p> <ul style="list-style-type: none"> <li>▪ An Outline Public Access Management Plan (PAMP) which sets out the approach to managing public access to PRowS and recreational routes (document reference APP-291);</li> <li>▪ An Outline Travel Plan (OTP) which includes measures to ensure transport movements are done in the most sustainable manner including target car share ratios and compliance targets that will be measured and reported upon (document reference APP-290);</li> <li>▪ An Outline COCP which will limit the impacts of construction. This includes setting out measures to limit noise and vibration through noise barrier (document reference APP-268);</li> <li>▪ An Outline Construction Traffic Management Plan (OCTMP) that sets out methods to control traffic and ensure pedestrian safety, particularly for those who are most vulnerable. (document reference APP-289).</li> </ul> <p>A strategy for access which has selected transport routes has also been prepared to ensure access points have the least amount of impact on local communities (see Section 27.6.4 of Chapter 27 Traffic and Transport (document reference APP-082).</p>