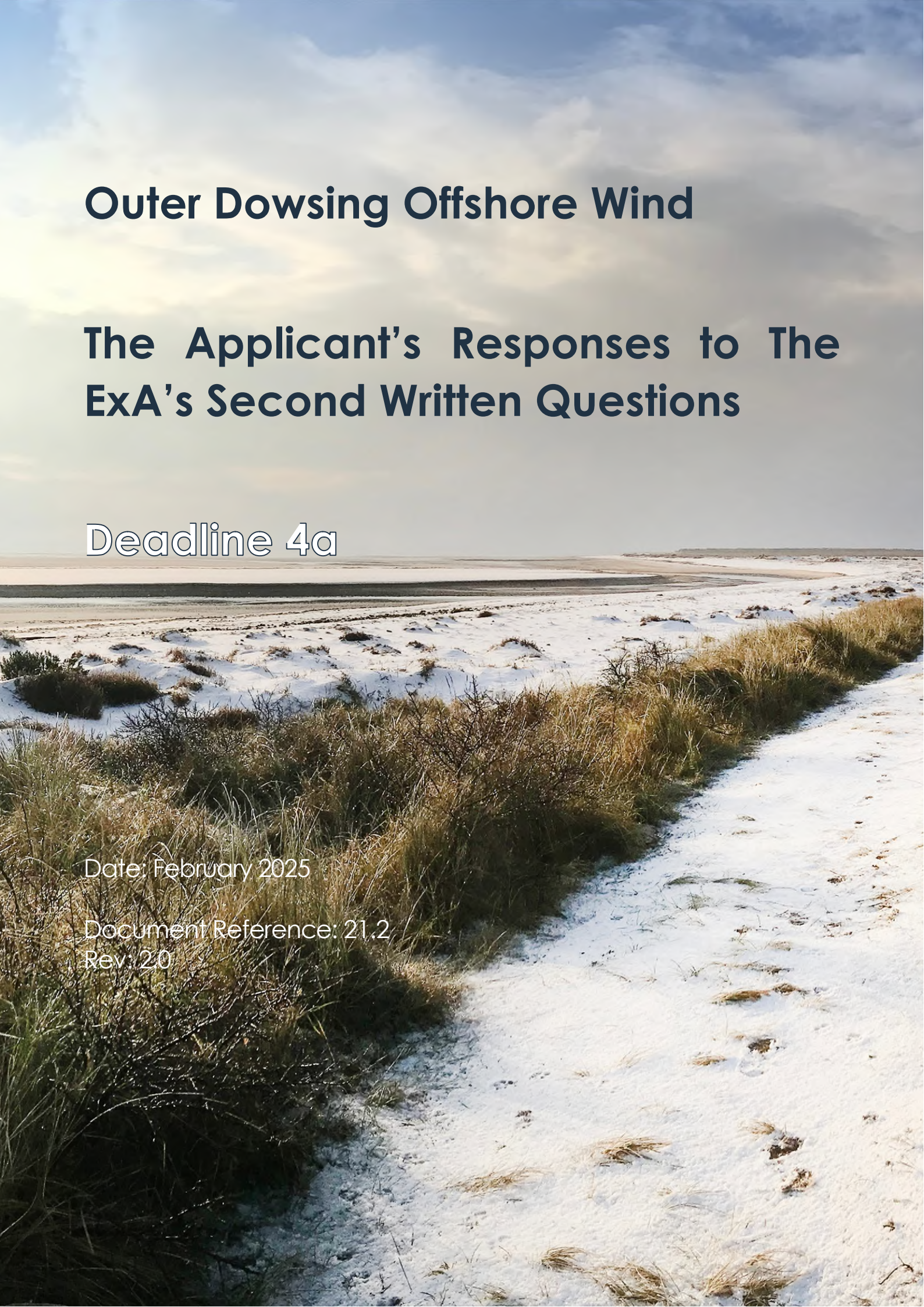

Outer Dowsing Offshore Wind

The Applicant's Responses to The ExA's Second Written Questions

Deadline 4a

Date: February 2025

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2.0	February 2025	Deadline 4a	Outer Dowsing	Outer Dowsing	Outer Dowsing	Outer Dowsing

Change Log

- Addition of previously omitted
  - Appendix 2.12 Q 2 LU1.1 Land Use, and
  - Annex 1 Summary of amended offshore and intertidal ornithological impacts and associated compensation requirements.

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Acronyms & Definitions

Abbreviations / Acronyms

Abbreviation / Acronym	Description
AEoI	Adverse Effect on Intergrity
AEP	Annual Exceedance Probability
AIS	Automatic Information System
ALARP	As Low As Reasonably Practicable
AQMP	Air Quality Management Plan
AMS	Arboricultural Management Strategy
AMSL	Above Mean Sea Level
ANO	Air Navigation Order
ANS	Artificial Nesting Structure
Art	Article
ALC	Agricultural Land Classification
BEIS	Department for Business, Energy and Industrial Strategy
BNG	Biodiversity Net Gain
BoR	Book of Reference
BMV	Best and Most Versatile
CA	Compulsory Acquisition
CAA	Civil Aviation Authority
CEMP	Construction Environmental Management Plan
CI	Confidence Interval
CIC	Cable Installation Compound
CNP	Critical National Priority
CoCP	Code of Construction Practice
CoS	UK Chamber of Shipping
DAS	Digital Aerial Surveys
dB	Decibel
DCO	Development Consent Order
DEFRA	Department for Environment, Food and Rural Affairs
dDCO	Draft Development Consent Order
DESNZ	Department of Energy Security and Net ZERO
DML	Deemed Marine Licence
DNV	Det Norske Veritas
DIO	Defence Infrastructure Organisation
EA	Environment Agency
ECC	Export Cable Corridor
EGL	Eastern Green Link
EIFCA	Eastern Inshore Fisheries and Conservation Authority
EMF	Electro Magnetic Field
EMP	Ecological Management Plan
EIA	Environmental Impact Assessment
EL	Examination Library
ES	Environmental Statement
ExA	Examining Authority
EM	Explanatory Memorandum
FLO	Fisheries Liaison Officer

Abbreviation / Acronym	Description
GHG	Greenhouse Gas
GLVIA	Guidelines for Landscape and Visual Impact Assessment
GW	Gigawatt
GWRA	Groundwater Risk Assessment
HGV	Heavy Goods Vehicle
HDD	Horizontal Directional Drilling
HRA	Habitats Regulations Assessment
ICNIRP	International Commission for Non-Ionizing Radiation Protection
iPCoD	Interim Population Consequences of Disturbance
IDB	Internal Drainage Board
IDRBNR	Inner Dowsing Race Bank North Ridge
IP	Interested Parties
ISH	Issue Specific Hearing
JNCC	Joint Nature Conservation Committee
LAT	Lowest Astronomical Tide
LCA	Landscape Character Areas
LCC	Lincolnshire County Council
LEA	Local Economic Area
LMP	Landscape Management Plan
LWT	Lincolnshire Wildlife Trust
LIR	Local Impact Report
LNRS	Local Nature Recovery Strategy
LPA	Local Planning Authority
MCA	Maritime and Coastguard Agency
MDS	Maximum Design Scenario
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
MMO	Marine Management Organisation
MMMP	Marine Mammal Mitigation Protocol
MoD	Ministry of Defence
MRF	Marine Recovery Fund
NAS	Noise Abatement Systems
NE	Natural England
NFFO	National Federation of Fishermen's Organisations
NGET	National Grid Electricity Transmission Plc
NGSS	National Grid Substation
NPS	National Policy Statement
NRA	Navigational Risk Assessment
NSIP	Nationally Significant Infrastructure Project
NSTA	North Sea Transition Authority
OCC	Onshore Cable Corridor
ODOW	Outer Dowsing Offshore Wind (The Project)
OLEMS	Outline Landscape and Ecological Management Strategy
OnSS	Onshore Substation
OP	Offshore Platforms
ORBA	Offshore Restricted Build Area
ORCP	Offshore Reactive Compensation Platform
OTNR	Offshore Transmission Network Review

Abbreviation / Acronym	Description
OWF	Offshore Wind Farm
PADSS	Principal Areas of Disagreement Summary Statement
PPEIRP	Pollution Prevention and Emergency Incident Response Plan
PRoW	Public Rights of Way
PSR	Primary Surveillance Radar
R	Requirement
RIAA	Report to Inform Appropriate Assessment
RR	Relevant Representation
RSPB	Royal Society for the Protection of Birds
RVAA	Residential Visual Amenity Assessment
SAC	Special Areas of Conservation
SELss	Single Strike Sound Exposure
SF6	Sulphur Hexafluoride
SIP	Site Integrity Plan
SSC	Suspended Sediment Concentration
SLVIA	Seascape, Landscape and Visual Impact Assessment
SoCG	Statement of Common Ground
SoR	Statement of Reasons
SoS	Secretary of State
SoS DESNZ	Secretary of State for Energy Security and Net Zero
SMP	Soil Management Plan
SNS	Southern North Sea
SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
TCC	Temporary Construction Compound
TP	Temporary Possession
UK	United Kingdom
UNESCO	United Nations Educational, Scientific and Cultural Organization
UXO	Unexploded Ordnance
WAM	Wide Area Multilateral
WCS	Worst Case Scenario
WHS	World Heritage Site
WQMMP	Water Quality Management and Mitigation Plan
WMS	Written Ministerial Statement
WTG	Wind Turbine Generator

Terminology

Term	Definition
The Applicant	GT R4 Ltd. The Applicant making the application for a DCO. The Applicant is GT R4 Limited (a joint venture between Corio Generation (and its affiliates), Total Energies and Gulf Energy Development (GULF)), trading as Outer Dowsing Offshore Wind. The Project is being developed by Corio Generation, TotalEnergies and GULF.
Array area	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.

Term	Definition
Baseline	The status of the environment at the time of assessment without the development in place.
Cable ducts	A duct is a length of underground piping which is used to house the Cable Circuits.
Cumulative effects	The combined effect of the Project acting additively with the effects of other developments, on the same single receptor/resource.
Cumulative impact	Impacts that result from changes caused by other present or reasonably foreseeable actions together with the Project.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
Environmental Impact Assessment (EIA)	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).
Effect	Term used to express the consequence of an impact. The significance of an effect is determined by correlating the magnitude of the impact with the sensitivity of the receptor, in accordance with defined significance criteria.
Environmental Statement (ES)	The suite of documents that detail the processes and results of the EIA.
Export cables	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).
High Voltage Alternating Current (HVAC)	High voltage alternating current is the bulk transmission of electricity by alternating current (AC), whereby the flow of electric charge periodically reverses direction.
Impact	An impact to the receiving environment is defined as any change to its baseline condition, either adverse or beneficial.
Intertidal	The area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS)
Joint bays	An excavation formed with a buried concrete slab at sufficient depth to enable the jointing of high voltage power cables.
Landfall	The location at the land-sea interface where the offshore export cables and fibre optic cables will come ashore.
Maximum Design Scenario	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
Mitigation	Mitigation measures, or commitments, 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.
National Policy Statement (NPS)	A document setting out national policy against which proposals for Nationally Significant Infrastructure Projects (NSIPs) will be assessed and decided upon.
Onshore Export Cable Corridor (ECC)	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.

Term	Definition
Onshore substation (OnSS)	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
Offshore Restricted Build Area (ORBA)	The area within the array area, where no wind turbine generator, offshore transformer substation or offshore accommodation platform shall be erected.
Offshore Reactive Compensation Platform (ORCP)	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.
Outer Dowsing Offshore Wind (ODOW)	The Project
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIPs).
The Project	Outer Dowsing Offshore Wind, an offshore wind generating station together with associated onshore and offshore infrastructure.
Receptor	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.
Rochdale Envelope	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 referred to as the "Project Design Envelope".
Statutory Consultees	Organisations that are required to be consulted by the Applicant, the Local Planning Authorities and/or The Inspectorate during the pre-application and/or examination phases, and who also have a statutory 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.
Statement of Common Ground	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.
Wind Turbine Generator (WTG)	A structure comprising a tower, rotor with three blades connected at the hub, nacelle and ancillary electrical and other equipment which may include J-tube(s), transition piece, access and rest platforms, access ladders, boat access systems, corrosion protection systems, fenders and maintenance equipment, helicopter landing facilities and other associated equipment, fixed to a foundation
Wind Turbine Generator (WTG) Area	The area within the order limits where Wind Turbine Generators (WTG), offshore transformer substations and offshore accommodation platform can be located following the introduction of the Offshore Restricted Build Area (ORBA).

2 Applicant's Responses to the Second Round of Written Questions

1. The Examining Authority (ExA) issued the second round of Written Questions (ExQ2) to Outer Dowsing Offshore Wind (the Applicant) and other Interested Parties on 13 January 2025.
2. The Applicant has subsequently responded to each relevant question in the tables below.
3. The Applicant has produced document 21.8 The Applicant's Comments on Natural England's Risk and Issues Log at Deadline 4 to accompany the responses drafted to associated questions.

2.1 GC General and Cross-topic Questions

Table 2.1: GC General and Cross-topic Questions

Question ID	Question addressed to	Question	Response
1 Design, parameters and other details of the Proposed Development			
Q2 GC 1.1	The Applicant	**Environment Act 2021 targets** Paragraph 4.3.20 of National Policy Statement (NPS) EN-1 requires the Secretary of State to have regard to the achievement of the statutory targets set under the Environment Act 2021. The applicant's response to this in its Policy Compliance Document [AS-012] does not directly address the targets individually and it is not clear where they are addressed in the relevant chapters of the Environmental Statement (ES) as suggested. Please provide details of how the project may contribute to the targets or signpost to where such detail is already provided.	As set out in NPS EN-1 4.3.20, taken together the Environment Act 2021 and subsequent secondary legislation provides legally binding targets which the Secretary of State will have regard to. Paragraph 4.3.20 states that "*Meeting the legally binding targets will be a shared endeavour that will require a whole of government approach to delivery.*" energy Nationally Significant Infrastructure Project ("**NSIPs**") are therefore not subject to these targets on an individual basis. The Applicant has set out below each of these targets in order to describe (1) the extent to which they are applicable to the Project, as a renewable energy NSIP and (2) how the Project contributes towards meeting these targets where relevant, and where this is addressed in the application documentation. *Air quality* Under the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023, the following targets are introduced: An annual mean concentration target for fine particulate matter ($PM_{2.5}$) of 10 µg/m^3 to be met across England by 2040. A population exposure reduction target of 35% reduction in population exposure to $PM_{2.5}$ by 2040, compared to 2018. A summary of legislative regimes of relevance to the air quality assessment was provided in Section 19.2.1 of 6.1.19 Chapter 19 Onshore Air Quality [AS1-046]. This included the Environmental Targets (Fine Particulate Matter) (England) Regulations 2023. This summary informed the selection of air quality standards considered in this assessment. Due consideration was given to legislation that will be operable throughout the lifecycle of the Project. In instances where the air quality standards have been considered, they are based on the legislative regimes anticipated to be in operation at the time of the activity under consideration. The $PM_{2.5}$ Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 are intended to be met by 2040. The focus of the air quality assessment relates to the construction phase. The likelihood for air quality impacts to arise throughout the lifecycle of the Project are higher during the construction phase – as it represents worst-case air quality conditions for assessment. This is attributed to the anticipated enhancement in air quality conditions over the Project lifecycle (i.e. following the uptake of cleaner technology), coupled with the understanding that construction activities will be more intensive than the operational and decommissioning phases (if cables are left in situ). As a result, assessment of air quality standards has only been conducted with respect to the construction phase. Construction of the onshore elements are due to commence in 2027 and last up to 36 months. As this period concludes well before the 2040 $PM_{2.5}$ target date, the construction

Question ID	Question addressed to	Question	Response
			phase will not influence whether the target is met. Thus, the 2040 $PM_{2.5}$ targets weren't considered. The operational phase of the Project will co-coincide with the $PM_{2.5}$ target date (2040). However, offshore wind farms generate electricity through wind energy, a clean and renewable source. Unlike fossil fuel-based power plants, wind turbines do not involve combustion processes, which are primary sources of $PM_{2.5}$ emissions. Therefore, the operation of an offshore wind farm does not produce any discernible levels of $PM_{2.5}$ (or other air pollutants). As a result, the operational phase of the Project will have no adverse impact on the ability to meet the 2040 $PM_{2.5}$ targets. While the wind farm itself does not generate any discernible levels of $PM_{2.5}$, its contribution to reducing overall combustion activities is significant. By providing clean energy, offshore wind farms reduce the reliance on fossil fuel-based power plants which are a major source of $PM_{2.5}$ emissions. The transition to renewable energy sources like wind power is essential for achieving the 2040 $PM_{2.5}$ targets at a national level. *Improve water quality and availability* Under the Environmental Targets (Water) (England) Regulations 2023/93, the following targets have been put in place: Abandoned metal mines target: Halve the length of rivers polluted by harmful metals from abandoned mines by 2038, against a baseline of around 1,500 km. The Project does not affect any abandoned metal mines and therefore the target is not of relevance to the Project. Nutrient pollution from agriculture target: Reduce nitrogen, phosphorus and sediment pollution from agriculture into the water environment by at least 40% by 2038, compared to a 2018 baseline. The Applicant does not engage in agricultural activity and will not apply any fertilizer to agricultural land being used for construction. Fertilizer use for tree planting for landscaping will be minimal. During construction, the Applicant will take measures to avoid sediment contaminated run off from the construction area entering the water environment and has submitted an outline Surface Water Drainage Strategy document (APP-273) which must be approved prior to construction by the Local Planning Authority (LPA), in consultation with the Environment Agency, as part of the Code of Construction Practice, secured in the draft DCO (Document 3.1) by Requirement 18. It has also submitted an outline Soil Management Plan (Document 8.1.3) designed to maintain the quality of soils and prevent deterioration or loss during handling, storage and reinstatement, which is secured through Requirement 31. Nutrient pollution from wastewater target: Reduce phosphorus loadings from treated wastewater by 80% by 2038 against a 2020 baseline.

Question ID	Question addressed to	Question	Response
			The Applicant will install temporary welfare facilities for the construction phase with septic tanks being emptied by a licenced waste carrier and taken to a licenced treatment facility. The Applicant does not intend to make any discharges of wastewater either to land or waterbodies from the construction welfare facilities. Water Demand target: Reduce the use of public water supply in England per head of population by 20% from the 2019/2020 baseline reporting year figures, by the end of the reporting year 2037/2038 The Applicant has engaged with Anglian Water Services (AWS) regarding the availability of water for construction activities and its estimated temporary demand. Following consultation with AWS, the applicant intends to minimise its demand on the public water supply by only using public water for welfare facilities. Bulk water for construction purposes will be obtained from other sources. *Biodiversity on land* Under the Environmental Targets (Biodiversity) (England) Regulations 2023/91, the following targets have been put in place: Long-term species abundance target: Ensure that species abundance in 2042 is greater than in 2022, and at least 10% greater than 2030. Long-term species extinction risk target: Improve the Red List Index for England for species extinction risk by 2042, compared to 2022 levels. Long-term wider habitats target: Restore or create in excess of 500,000 hectares of a range of wildlife-rich habitat outside protected sites by 2042, compared to 2022 levels. 2030 species abundance target: to halt the decline in species abundance by 2030. The Applicant has assessed potential effects of the Project on habitats and species, as outlined in Chapter 21 of the ES and specifically Table 21.26. Mitigation to prevent any identified impacts has been set out in the OLEMS (document reference 8.10 version 4). Additionally previously outlined the Applicant is committed to exploring opportunities for biodiversity net gain. *Biodiversity in the sea* Under the Environmental Targets (Marine Protected Areas) Regulation 2023/94 , the following target have been put in place Marine Protected Areas (MPA) target: 70% of the designated features in the MPA network to be in favourable condition by 2042, with the remainder in recovering condition. The Applicant has assessed the impacts of the Project on the MPA networks within document 7.1 Report to inform Appropriate Assessment and document 6.3.9.5 Chapter 9 Appendix 4 Marine Conservation Zone Assessment. The assessments have concluded that the Project alone will not result in any adverse effects on the conservation objectives of any of the relevant sites and as such, the Project will not impede the targets under the Act. Within document 7.1, the Applicant was unable to rule out that, in-combination with

Question ID	Question addressed to	Question	Response
			other plans, projects and activities, the Project would not adversely affect the kittiwake feature of the Flamborough and Filey Coast (FFC) Special Protection Area (SPA). Consequently, the Applicant has provided a derogation case (document 7.5) (under the Conservation of Offshore Marine Habitats and Species Regulations (2017) which is accompanied by a compensation proposal (as detailed within document 7.7.1 Kittiwake Compensation Plan) that will ensure the integrity of the overall National Site Network, supporting the maintenance of the kittiwake feature at the FFC SPA and thereby supporting the targets under the Act. *Woodland cover* Under the Environmental Targets (Woodland and Trees Outside Woodland) (England) Regulations 2023, the following targets have been put in place Tree canopy and woodland cover: Increase total tree and woodland cover from 14.5% of land area now to 16.5% by 2050. Despite the Lincolnshire Fens being characterised by an open and denuded landscape, the importance of reintroducing trees is recognised. At just 4%, and compared to the England average of 10%, Lincolnshire has one of the lowest tree coverage rates in the country. Lincolnshire County Council (LCC) recognises the importance of increasing tree coverage in light of the twin Climate and Nature Crises. LCC has been supporting tree planting projects and hopes ultimately to reach the target of 750,000 new trees planted in the next couple of years. Environmental stewardship and community engagement are central to Outer Dowsing Offshore Wind's vision. Our aim is to have a long-term positive environmental impact through responsible design optimisation of the project, honest and transparent engagement with local communities and stakeholders, and proactive mitigation solutions. While the purpose of the planting scheme is to establish a visual screen for the OnSS, in doing this, the Project will be adding 130,000 trees and shrubs to the Lincolnshire landscape. This helps connect wildlife corridors, enhance the visual amenity of the landscape of the Surfleet area, and improve the local tree equity score (a Woodland Trust initiative). The nearest tree equity score to the substation area is 70 for South Holland as it only has 12% canopy cover and is listed as high priority. In summary, the project would contribute to the Environmental Targets (Woodland and Trees Outside Woodland) (England) Regulations 2023 by committing to significant tree planting efforts. By adding 130,000 trees and shrubs to the Lincolnshire landscape, the project supports the increase in tree and woodland cover, enhances local biodiversity, and aligns with broader environmental and community goals *Resource efficiency and waste reduction* Under the Environmental Targets (Residual Waste) (England) Regulations 2023/92, the following targets have been put in place Reduce residual waste target: Reduce residual waste (excluding major mineral wastes) kg per capita by 50% by 2042 from 2019 levels.

Question ID	Question addressed to	Question	Response
			The Project aligns with the Environmental Targets (Residual Waste) (England) Regulations 2023/92 target of reducing residual waste per capita by 50% by 2042 (from 2019 levels) through adherence to the measure set out in the Outline Site Waste Management Plan ("**SWMP**") (APP-274), which are summarised below. In summary, by prioritising waste prevention, reuse, recycling, and recovery, the Outline SWMP contributes directly to the reduction target for residual waste by 2042. Its proactive strategies and monitoring systems will ensure that waste is minimized at every stage of the project. 1. Waste Reduction Strategies Minimisation of Waste: The SWMP emphasises reducing, reusing, and recycling materials on-site before disposal (Section 2, Paragraph 15). This directly contributes to minimizing residual waste. Efficient Use of Resources: The SWMP promotes sustainable sourcing of materials and the use of recycled materials in construction (Section 7, Paragraph 73-74), reducing the generation of new waste. 2. Recycling and Reuse Measures Soil and Material Reuse: Excavated materials, particularly from cable trenches and substation construction, will be reused in landscaping where feasible (Section 9, Paragraphs 89-90). This reduces landfill waste. On-Site Segregation: Waste generated during construction will be sorted into recyclable and non-recyclable streams (SWMP, Section 8, Paragraph 75-76), ensuring that only unavoidable waste ends up as residual waste. Hazardous Waste Management: Ensuring hazardous waste (e.g., oils, solvents, contaminated PPE) is segregated prevents contamination of otherwise recyclable waste (Section 8, Paragraph 80). 3. Compliance with Waste Hierarchy The project follows the waste hierarchy (SWMP, Section 5, Paragraph 51) by: Preventing waste where possible. Preparing for reuse through site material repurposing. Recycling as much construction and demolition waste as possible. Recovering energy from waste where feasible. Disposing only as a last resort. 4. Monitoring and Compliance Live Tracking & Audits: The SWMP is a living document, with regular updates (every six months or as needed) to ensure continuous waste reduction efforts (Section 3, Paragraph 17). Compliance with Regulations: The project adheres to key waste-related legislation, including the Waste (England and Wales) Regulations 2011 and the Environment Act 2021, which support long-term waste reduction goals. 5. Local Waste Management Impact The estimated waste arisings from the project are negligible compared to the overall capacity of waste management facilities in Lincolnshire (Section 9, Paragraph 93-94).

Question ID	Question addressed to	Question	Response
			The SWMP ensures that on-site waste is minimized, reducing pressure on local landfills and residual waste streams.
Q2 GC 1.2	The Applicant Interested Parties Environment Agency (EA)	**National Planning Policy Framework and Legislation** The applicant and interested parties are requested to provide comments on any updates or changes to UK Government legislation, policy, or guidance relevant to the determination of this application that have been issued since the submission of the application. **To the Applicant and Interested Parties** Please include a summary of the implications, if any, for this Examination. **To the Applicant and the Environment Agency (EA)** Paragraphs 173 to 175 of the revised National Planning Policy Framework 2024 outline a sequential, risk-based approach for individual applications in areas currently or potentially at risk from any form of flooding. Provide a summary of implications, if any, for this Examination with respect to Climate Change, Flooding and Coastal Change. Note: Such updates should include, but need not be limited to, the National Planning Policy Framework published on 12 December 2024, the Clean Power 2030 Action Plan published on 13 December 2024, and other recently published Ministerial statements and policy papers.	The Applicant has set out below a summary of implications of relevant policy and legislation. The Applicant stands ready to consider and provide submissions on any further policy or legislation, should Interested Parties or the Examining Authority bring it to the Applicant's attention. *Clean Power 2030* The purpose of The Clean Power 2030 Action Plan is to provide a pathway to deliver on the urgent need for clean power ("clean sources produc[ing] at least as much power as Great Britain consumes in total over the whole year, and at least 95% of Great Britain's generation" requiring offshore wind to be "the backbone of the clean power system"). The Clean Power 2030 Action Plan contains a range of policy related to the delivery of clean power including offshore wind. The policy and discussion generally relates to future looking proposals and policy interventions, intended to provide paths towards for the delivery of urgently required clean power, such as that being delivered by the Applicant project. However, the document does not typically seek to introduce policy which would require changes to extant planning applications, which would have implications for the consenting processes for the Applicant's project. The Applicant has highlighted a number of relevant implications below. First, as set out throughout its Application, including in the Derogation case (Document 7.5; APP-242) and Chapter 2 of its Environment Statement (Need, Policy and Legislative Context) (Document 6.1.2; APP-057), the Applicant's project responds to the urgent need for delivery of renewable energy in line with National Policy Statements ("**NPSs**") and with references made to the targets as presented by government at the time of application, such as the British Energy Security Statement reference to delivery of up to 50MW of renewable energy by 2030. Clean Energy 2030 now provides this target as a range of output (the "**Clean Power Capacity Range**") of between 43 – 50 MW by 2030. As set out in the National Energy System Operator's paper Clean Power 2030 Advice on achieving clean power for Great Britain by 2030, whether the 43 or 50 MW are achieved depends on the "pathway" taken where neither pathway reduces the urgency for offshore wind under current policy including the NPSs: "*Our work identifies two primary clean power pathways. In addition to the elements outlined above, one pathway successfully builds 50 GW of offshore wind by 2030, but no new dispatchable power from hydrogen or gas with CCS. The other pathway delivers new dispatchable plants (totalling 2.7 GW) and 43 GW offshore wind. Either of these requires a dramatic acceleration in progress compared to anything achieved historically and can only be achieved with a determined focus on pace and a huge collective effort across the industry"* *[…]*

Question ID	Question addressed to	Question	Response
			Offshore wind contracting and deployment must happen at unprecedented pace, far exceeding previous records. Our pathways require around 4-10 GW from each of allocation rounds 7 (in 2025) and 8 (in 2026). To put that into context, the highest allocation round to date awarded 7 GW in 2022 and build can be cancelled or delayed after a successful auction." Though the Applicant's needs case therefore remains in line with existing policy, in order to ensure that up to date policy is referred to, and on the basis that certain Habitats Regulation Assessment documents are being updated at this deadline in response to Q2 HRA 1.1, the Applicant has included reference to the Clean Power 2030 Action Plan in its update of the Derogation Case (Document 7.5). *Planning Inspectorate Advice Note updates* The Applicant notes that a range of Planning Inspectorate Advice notes have been updated in the course of the Examination. The Applicant has ensured that its approach to the Examination and Application is in line with advice set out in the most recent versions of advice notes. Particularly, as set out in response to Q1 DES 1.6, the Applicant has ensured that it has taken account of the Planning Inspectorate's Advice on Good Design for Nationally Significant Infrastructure Projects. The above-mentioned updates to the Derogation Case (7.5) also now includes reference to the updated Advice Note of September 2024 "Advice on Habitats Regulations Assessments". *Reducing marine noise* Defra published the policy document *Reducing marine noise* on the 21st January 2025, the policy document requires that: "From January 2025, given the expected increase in noise levels over the coming years, and the above outlined policy commitments, we expect that all offshore wind pile driving activity across all English waters will be required to demonstrate that they have utilised best endeavours to deliver noise reductions through the use of primary and/or secondary noise reduction methods in the first instance." In response to this, the Applicant has committed to best endeavours to deliver noise reductions through the use of primary and/or secondary noise reduction methods. This commitment is secured in the Outline Marine Mammal Mitigation Protocol for Piling Activities (document reference 8.6.1) and the In-Principle Southern North Sea Special Area of Conservation Site Integrity Plan (document reference 8.7) both of which have been updated at Deadline 4 to incorporate the commitment. *Hedgerow Regulations 2024* As set out in The Applicant's Change Notification dated 13 December 2024 – Deadline 3 (REP3-050), the Applicant is updating its DCO in response to this post-Application legislation. *NPPF update*

Question ID	Question addressed to	Question	Response
			Much of the updates to the National Planning Policy Framework ("**NPPF"**) are centred on development unrelated to the Applicant's project (such as housing developments) or relate to matters of local decision-maker consideration which do not apply to the Secretary of State's decision making. More generally, it should be noted that, notwithstanding the publication of the updated NPPF, the National Policy Statements ("**NPSs**") remain the primary policy framework for the assessment and determination of Nationally Significant Infrastructure Projects under Section 104 of the Planning Act 2008. To the extent that the NPFFs are to be taken into account by the Secretary of State as relevant considerations for his decision-making, the Applicant notes the following points related to the changes to "*14. Meeting the challenge of climate change, flooding and coastal change".* This section has been updated to require broader consideration of climate change, including making reference to the transition "to net zero by 2050" which requires the planning system to support the transition. Under new paragraph 163 "*The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts."* Under the changes to this section planning applications require to provide information and evidence concerning their climate impacts. The Applicant believes that it has done so through the information it has provided in its Application in compliance with relevant NPS policy. In relation to the need to take into account the "full range" of impacts, the Applicant notes that it has considered the climate change impacts of the Project in Environmental Statement Chapter 31 Climate Change (App-086) and has since given further consideration to climate change issues; such as consideration of whether further analysis of "downstream" Greenhouse Gas Emissions are necessary (Annex 1 of REP3-041), as well as providing further analysis to the question of the effects of climate change on soil condition and stability (REP3-055). On the basis of the Applications compliance with pre-existing NPS policy on climate change and the range of climate change issues considered by the Applicant, it believes that new NPPF policy related to climate change has been complied with in the Application. *Strategic compensation measures for offshore wind activities: Marine Recovery Fund interim guidance (DESNZ January 2025) and accompanying Ministerial Written Statement ("**MWS**") of 29 January 2025* The above guidance and WMS provide further information on the implementation of the Marine Recovery Fund and how use of this option can be incorporated into DCOs, which the Applicant welcomes. As a result, the updates to the following HRA documents have incorporated reference to the above interim guidance and MWS: 7.6, 7.6.1; 7.6.2; 7.7.1; 7.7.2; 7.7.3; 7.7.6.

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			National Planning Policy Framework 2024 paras 173 - 175 The Applicant has used the sequential approach in respect of flood risk, to the siting of infrastructure, and this is described in the Site Selection and Alternatives Chapter (APP-059), section 8.3. The applicant caried out an extensive evaluation of sites and, in line with the sequential approach concluded that there were no reasonably available alternative sites with a lower flood risk. Regarding climate change, the Flood Risk assessments carried out by the Applicant (Documents 6.3.24 Appendix 2 and Appendix 3) used the most recent climate change allowances, when assessing flood risk as part of the site selection process. Regarding coastal change the applicant has engaged with the EA regarding its current management of the shoreline and possible future defence works. The Applicant believes that it has used a sequential approach regarding site selection, using the best available information, and the NPPF 2024 does not have any impact upon the findings of the assessments carried out by the Applicant and presented in the ES.
Q2 GC 1.3	The Applicant Relevant Interested Parties	**Operational lifetime** The applicant's response to ExQ1 DCO 1.9 [REP2-051] sets out that the applicant's assessments have assumed long-term impacts from the proposed development during its operational phase and that therefore its conclusions would apply for an operational lifetime that exceeds 35 years. In this response the applicant also provided a high-level summary of the position for each of the assessments it has carried out. The applicant's Environmental Impact Assessment Methodology [APP-060, paragraphs 50 and 51] determines the time period within which the ES has assessed that a given impact may be experienced. This methodology established that the operation period has been assessed as being **up to** 35 years. The ExA notes that the applicant states in its response that it is not seeking a time-limited consent and the applicant's statement that it cannot precisely define the lifetime of the proposed development at this time. Nevertheless, the ExA requires clarity to establish what operational time period the applicant has assessed in its ES. For each of the topic areas listed in the applicant's response to ExQ1 DCO 1.9 [REP2-051] (as well as any others that may be relevant), provide signposting which indicates where an operational lifetime in excess of 35 years has been assessed in the ES and where the methodology for such an assessment is set out. Relevant interested parties are also invited to comment on this matter, if appropriate.	Paragraphs 50 and 51 of Chapter 5 Environmental Impact Assessment Methodology (APP-060) state, under the heading "Approach to Developing the Scope of EIA" (emphasis added): "*50. The temporal scope determines the period in which a given impact may be experienced. Impacts may be temporary, permanent, short-term or long-term. These temporal definitions are established for each technical discipline and in discussion with stakeholders.* *51…with project lifetime **high level duration estimates** summarised as follows:* *…Operation: up to 35 years; and* *Decommissioning; following the end of the operational phase. In the absence of any repowering; a decommissioning plan will be developed providing further details on the decommissioning of the each of the elements of the Project in accordance with the decommissioning requirement of the DCO."* a) The following points provide further context to this aspect of the EIA methodology: Paragraph 5, Schedule 4 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 require the EIA process to identify, amongst other things, the "*short-term, medium-term and long-term*" environmental effects of the Project. This section of Chapter 5 Environmental Impact Assessment Methodology [APP-060] explains how the requirement to identify the temporal nature of environmental effects applies to the scope of this particular assessment. b) Paragraph 51 makes clear that the reference to "up to 35 years" is a high level duration estimate. It is neither presented, nor treated, as a limit to the operational lifetime of the development for the purposes of assessment.

Question ID	Question addressed to	Question	Response
			c) Whilst the Applicant is not seeking a time-limited consent, it is necessary for the assessments reported in the ES to be undertaken taking account of an estimated operational period. This enables the Examining Authority and the Secretary of State to understand that the effects occurring during the operational period are likely to be long term in nature and (as a high level estimate) what long term is likely to mean in terms of duration. d) The Applicant's response to ExQ1 DCO 1.9 (REP2-051) explains that (i) it is anticipated that the Project will be decommissioned at some point in the future, as stated in paragraph 51 of Chapter 5 Environmental Impact Assessment Methodology [APP-060] and assessed as appropriate throughout the ES; and (ii) that 35 years is a reasonable high level estimate on which to base the assessments in the ES considering the typical operational lifetime of an offshore wind farm, including replacement of its components. e) In responding to ExQ1 DCO 1.9, the Applicant sought confirmation from each of the expert authors of the topic chapters in the ES as to whether the use of a high level estimate of the operational period that went beyond 35 years would affect the conclusions of the assessment reported in that chapter. Their responses to that request are set out in the table which is included in the Applicant's response to ExQ1 DCO 1.9. As the Examining Authority will have seen, the Applicant's response to ExQ1 DCO 1.9 confirms that the conclusions of the assessments of the effects during the operational period for each topic, having been described as long term, would remain the same after 35 years without new or different likely significant environmental effects. Against that background, the Applicant's response to ExQ2 GC1.3 is as follows: a) The Examining Authority has asked for signposting which indicates where an operational lifetime in excess of 35 years has been assessed in the ES and where the methodology for such an assessment is set out. As set out above: i. The assessment of long term effects in the ES is based on a high level estimate of the likely operational lifetime of up to 35 years, but this period has not been treated as a limit. ii. In the case of each topic chapter in the ES, the Applicant's response to ExQ1 DCO1.9 explains that no new or different likely significant effects would arise after 35 years. That response reflects the advice provided by the expert authors of the individual chapters and constitutes "Any other information" and thus "environmental information" for the purposes of the EIA Regulations, supplementing the assessment provided in the ES. iii. Regulation 3 (Interpretation) of the EIA Regulations defines "environmental information" as including both the ES and "any other information". It defines "any other information" as meaning "any other substantive information provided by the applicant in relation to the environmental statement or updated environmental statement".

Question ID	Question addressed to	Question	Response
			iv. The methodology used to generate that environmental information necessarily varies from topic to topic, given that it represents the expert authors' professional judgment having regard to the methodology used to generate the relevant assessment in the ES in each case. The individual responses in the Table provide a succinct summary of the reasons why no new or different likely significant environmental effects are considered likely, but if the Examining Authority would find it helpful the Applicant can provide further details for individual topics as required. b) Regulation 21 of the EIA Regulations provides that when deciding whether to make an order granting development consent for EIA development the Secretary of State must (a) examine the "environmental information", (b) reach a reasoned conclusion on the significant effects of the proposed development on the environment, taking into account that examination, and (c) integrate that conclusion into the decision as to whether an order is to be granted. As explained above, the Applicant's response to ExQ1 DCO1.9 will form part of that environmental information and enables both the Examining Authority and the Secretary of State to be satisfied that there not likely to be any new or materially different likely significant effects in the event that the operational period exceeds 35 years. c) As the Applicant has explained, there are no other reasons that would make it necessary, reasonable and appropriate (in accordance with NPS EN-1 paragraph 4.1.16) to impose a requirement that the operational period comes to an end after 35 years. If the operational lifetime does extend beyond that period that would be beneficial in terms of the public interest having regard to the continued urgent need for renewable energy generating capacity. Nevertheless, for completeness, the Applicant will clarify the wording in section 1.7.3.3 of Chapter 5 Environmental Impact Assessment Methodology [APP-060] as part of the updates to the ES being submitted at Deadline 5.
2 Environmental Statement and In-Principle Monitoring Plan (General)			
Q2 GC 2.1	The Applicant	**Cumulative effects updates** Provide updates, as appropriate, to the assessment of cumulative effects in the ES, having regard to any progress and new details submitted in relation to other projects. This should include details of the review of offshore projects as identified in the applicant's response to ExQ1 GC 2.1 [REP2-051].	The Applicant has completed the review of offshore projects as identified in the applicant's response to ExQ1 GC 2.1 (REP2-051) and an updated Appendix 2 Offshore Cumulative Effects Assessment Approach (APP-147) will be provided at Deadline 5, along with updated cumulative assessments in each the Environmental Statement chapters as discussed at ISH2 and recorded in 20.4.3 The Applicant's Written Summary of oral case put at Issue Specific Hearing 2 on Offshore matters, 4th Dec (REP3-041). Other than the previously mentioned Eastern Green Link 3 and 4, no new NSIPs have been identified and the majority of additions are minor projects which are not expected to result in changes to the assessment conclusions. The status of several projects previously identified in the cumulative assessments has changed, this will also be incorporated into the updated Environmental Statement chapters being provided at Deadline 5, but is not expected to result in changes to the assessment conclusions. With regard to onshore cumulative impacts from other Nationally Significant Infrastructure Projects (NSIPs) the Applicant was requested by the ExA (PD-011) to provide an initial 'Inter-relationship with other infrastructure projects' Report at Deadline

Question ID	Question addressed to	Question	Response
			2 (REP2-055), which has been updated for Deadline 4 (Document 19.6, version 2). As requested by the ExA, this will be updated again at Deadline 6. This report has considered 18 other NSIPs across Lincolnshire. The report highlights the Applicants commitment to working with other developers of relevant NSIP projects to share information which will help to reduce possible cumulative effects where construction programmes have the potential to overlap. Where new projects or potential cumulative effects have been identified since submission of the DCO application, these will be incorporated into the updated onshore ES Chapters to be submitted at Deadline 5. These updates are not expected to result in changes to the assessment conclusions. Regarding non-NSIP onshore projects, the Applicant has continued to monitor the relevant local authority planning portal for planning applications, seeking to identify any projects which could have the potential to result in cumulative effects. To date, no additional projects have exceeded the thresholds that would require them to be considered for screening as per the methods set out in 6.3.5.3 Appendix 3 Onshore Cumulative Effects Assessment Approach (APP-148).
Q2 GC 2.2	The Applicant	**Offshore In-Principle Monitoring Plan (Offshore IPMP)** In paragraph 5 of Appendix L of its deadline 3 response [REP3-075] NE has set out what it considers are a number of overarching concerns with the Offshore IPMP [APP-276] in terms of details that should be provided. Comment on NE's concerns, detail which of the measures referenced by NE, the Applicant intends to address in an updated version of the Offshore IPMP and provide a timetable for the submission of this updated Offshore IPMP. If the applicant does not intend to update the Offshore IPMP to reflect any of NE's concerns, then it should set out its reasoning. In addition, the applicant is requested to explain how the ExA can have confidence that the Offshore IPMP would provide a sufficiently robust document with appropriate safeguards to respond to any subsequent post-examination amendments that may be required as a result of future discussions and monitoring results taking place.	Comments on NE's concerns are set out below. The Applicant has responded to each of the points raised by Natural England in Appendix L of The Applicant's Comments on Deadline 3 Submissions (document reference 21.3) The Applicant highlights that the Offshore In Principle Monitoring Plan (Offshore IPMP) (APP-276) is the first stage of an iterative process and maintains that it is appropriate for details of the monitoring to be undertaken, to be finalised post-consent, when more precise detail about the Project design, ground conditions and environmental conditions is understood. This will allow the development of more informed monitoring proposals based on up-to-date information. The guiding principles and adaptive approach set out in the Offshore IPMP (APP-276) reinforces commitments made in the Environmental Statement (ES) and complements other requirements set out in the dMLs and will allow refinements to be made as knowledge and technology evolves. 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 conditions 13(1)(c), 17, 18 and 19, Part 2, Schedules 10 and 11 of the dDCO (3.1). As set out in section 1.4 of the Offshore IPMP (APP-276) consultation with statutory consultees, including Natural England and the MMO, is fundamental to agreeing that the monitoring adopted for the Project is proportionate, effective and secured. The Offshore In Principle Monitoring Plan (APP-276) sets the framework for the proposed monitoring by outlining the guiding principles that will be used in the development of the detailed monitoring proposals post-consent. This allows all relevant parties to understand the broad proposals, with the detail to be included in the final monitoring plan. The Applicant emphasises that, at paragraph 14, the IPMP states: "*This IPMP represents the most appropriate approach to monitoring available at the time of writing, however it is acknowledged that the outcomes of the survey work discussed could influence future monitoring proposed, methodologies, focus and effort for the Project, as knowledge and understanding develops. For example, where appropriate, and in consultation with the MMO and relevant SNCBs, these scopes may be refined to consider other relevant studies carried out by neighbouring projects. This is a key principle for an*

Question ID	Question addressed to	Question	Response
			adaptive approach to monitoring and will be the subject of ongoing consultation between the Project, the MMO and relevant SNCBs." In relation to adaptive monitoring, the Applicant highlights the following guiding principle set out in section 3 of the IPMP (APP-276): *"The scope and design of all monitoring work should be finalised and agreed following review of the results of any preceding survey and/or monitoring work (i.e. an adaptive approach), including those surveys conducted in support of the environmental impact assessment. This includes the potential for survey requirements to be adapted based on the results of the monitoring outlined in this document. Where it has been agreed that there are no significant impacts, monitoring need not be conditioned through the dMLs*."

2.2 Benthic Ecology, Intertidal and Subtidal Effects

Table 2.2: Benthic Ecology, Intertidal and Subtidal Effects

Question ID	Question addressed to	Question	Response
Q2 BE 1.1	The Applicant	**Risk and issues log unresolved issues** Please provide a response to each unresolved marine and coastal processes (tab B), benthic and intertidal ecology (tab C) and benthic compensation (tab D) issue listed in Natural England's (NE) Risk and Issues Log [REP3-074] and associated appendices [REP3-067 and REP3-068] submitted at deadline 3 (D3) clarifying: • what action, if any, has been taken by the applicant to seek to address the issue to date • what actions are planned to be taken to address outstanding issues and by when. This should include details of any plans and documents to be updated and confirmation of the means by which they are secured in the dDCO. • issues upon which the applicant disagrees with NE's position and where this is likely to remain the case at the close of the examination. In such cases, please provide justification for not adhering to NE's advice having regard to relevant policy, legislation, guidance and evidence.	The Applicant has responded to the risks and issues log and clarified the points requested by the Examining Authority in document 21.8 The Applicant's Comments on Natural England's Risk and Issues Log.
Q2 BE 1.2	Natural England (NE)	**Updated reports** The Applicant has updated Chapter 9 Appendix 2 Benthic Ecology Technical Report [REP3-018] and the Offshore Export Cable Corridor (ECC) Sabellaria spinulosa Reanalysis Report [REP3- 035] at D3 to address the request from NE in Appendix C of its Deadline 1 submission [REP1- 059]. Provide a response and detail any implications arising from the consideration of these reports.	
Q2 BE 1.3	Natural England (NE)	**Sandwave Levelling Study** Provide a response to the applicant's Sandwave Study [REP3-047] and detail any implications arising from the consideration of this report.	

Question ID	Question addressed to	Question	Response
Q2 1.4 BE	Natural England (NE)	**Applicant's responses to NE** The applicant's comments on ExQ1 responses [REP3-054] Table 1.2 signposts a number of documents where the applicant believes they have provided a response to NE's concerns. For example, "Point 4 of Tab B of the Risks and Issues log refers to the Maximum Design Scenario (MDS) seabed disturbance parameters for boulder clearance, pre-lay grapnel run, and UXO clearance. The applicant has responded to this point within Response B10 of Table 1.45.3.2 within PD1-071." • Comment on whether the responses the applicant refers to in Table 1.2 satisfy your concerns, and if not please detail specifically what is required. • In the next iteration of the Risk and Issues Log, please can NE elaborate on the commentary for unresolved issues where "no change" is cited for progression, having regard to the applicant's responses, where given? Please specify where remedy required by the applicant would go beyond NE's general advice that where the applicant considers issues to be resolved "…an amendment or commitment will need to be included within the relevant secured named technical document or plan and reviewed within the wider context of the Application".	
Q2 1.5 BE	The Applicant	**Marine Net Gain** The applicant's Biodiversity Net Gain (BNG) report [APP-302] refers only to onshore net gain. • How has the applicant sought opportunities to contribute to and enhance the natural environment by providing net gains for biodiversity and the wider environment where possible offshore in line with National Policy Statement (NPS) EN1 para 4.6.6? • ES Chapter 7 Marine Physical Processes [APP-062] states that consideration of Marine Net Gain is presented in Supplementary Document 8.3. This document does not appear to have been submitted. Submit this document if you are citing its contents as evidence in the application and signpost where in the document marine net gain is considered.	As stated in paragraph 4.6.3: NPS EN-1 (DESNZ, 2023a): *"Currently biodiversity net gain policy in England only applies to terrestrial and intertidal components of projects. Principles for Marine Net Gain are currently being rolled out by the 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."* At the time of writing, no principles for net gain, or further policy documents have been published, and unlike onshore biodiversity net gain, no methodology for calculating marine net gain has been established. Paragraph 4.6.6 of NPS EN-1 (DESNZ, 2023a) states: *"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."* Taken together, the Applicant considers that paragraphs 4.6.3 and 4.6.6 of NPS EN-1 require that 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, but considers that currently, the policy text doesn't specifically require these gains to be delivered in the offshore area of a project, as without supporting policy and calculation methodology, it is difficult to determine what a net gain in the marine environment would consist of. As noted by the Examining Authority, the net gains for biodiversity and the wider environment, delivered in the onshore areas of the Project, are set out in the Biodiversity Net Gain (BNG) report (APP-302).

Question ID	Question addressed to	Question	Response
			As noted on page 22 of Chapter 9 Benthic and Intertidal Ecology (APP-064) the Applicant has outlined that '*Consideration will be given to the use of eco-engineering or methods to enhance biodiversity and geological interests where technologies are available that can ensure the integrity of the infrastructure*.' This will be assessed in conjunction with advancements in eco-engineering during the post-consent phase, in line with best practices and ecological benefits. In addition, the Applicant has committed that ecological based solutions for scour protection will be prioritised, where practicable, in the Outline Scour Protection and Cable Protection Management Plan (Document Reference: 8.21). The reference to a document that considers net gain in Chapter 7 Marine Physical Processes (APP-062) is a mistake and was originally included in the assessment as a final check, following the conclusion of the consultation on marine net gain (DEFRA, December 2023). However, since the conclusion of the consultation, no further marine net gain policy documents have been released. The Applicant will amend this mistake in the updated versions of relevant ES chapters that will be submitted at Deadline 5.

2.3 Civil and Military Aviation and Communications

Table 2.3: Civil and Military Aviation and Communications

Question ID	Question addressed to	Question	Response
Q2 CM 1.1	Defence Infrastructure Organisation (DIO)	**Mitigation for Primary Surveillance Radar (PSR) Neatishead and Staxton Wold** The applicant's response to ExQ1 CM 1.1 [REP2-051] states that it is confident that the necessary mitigation for Neatishead and Staxton Wold will be in place by 2030 and therefore before the project is operational. The ExA also notes from the applicant's ExQ1 responses that it commits to provide an update on discussion with the DIO at deadline 4, including the proposal of a potential new requirement to address PSR mitigation. Please confirm if the DIO is also confident that the necessary mitigation will be place prior to the operation of the project and provide preferred drafting of a new requirement to secure this.	The Applicant remains confident that the required mitigation solutions will be in place by 2030 as the UK government has confirmed that this will be the case. The Applicant continues to play an active role as a member of the Offshore Wind Aviation Taskforce and expects to enter a Radar Mitigation Scheme Agreement with the Ministry of Defence in due course. The Applicant understands that more detailed guidance is due to be provided but the Applicant does not yet have a date for this – industry is working with DESNZ and the MOD to bring this forward. The Applicant continues to seek to meet with DIO to seek to discuss this topic and potential DCO requirements related to primary surveillance radar mitigation. On 20th December 2024 DIO agreed to meet with the Applicant to discuss these matters, and a meeting has been scheduled for 11th February 2025.
Q2 CM 1.2	NATS En Route Ltd	**Mitigation for PSR Cromer and Claxby** Please confirm if the latest drafting of requirement 32 of the draft Development Consent Order (dDCO) [REP3-007] as submitted at deadline 3 adequately secures the necessary mitigation. If not, please provide alternative preferred drafting.	
Q2 CM 1.3	Defence Infrastructure Organisation (DIO)	**Physical obstruction** The applicant's response to the DIO's answer to ExQ1 CM 1.2 [REP3-054] states that "Conditions providing for 'Aviation safety' have been added as Part 2, Condition 10 of the deemed marine licences contained in Schedules 12, 13, 14 and 15, as	

Question ID	Question addressed to	Question	Response
		requested by the MoD" Please confirm if the DIO is satisfied with the dDCO in this regard. If not, please provide alternative drafting.	
Q2 CM 1.4	The Applicant Defence Infrastructure Organisation (DIO)	**Holbeach Air Weapons Ranges** **To the applicant and DIO** The applicant and the DIO are invited to provide an update on discussions to confirm the spatial extent of the safeguarding zones associated with Holbeach Air Weapons Range, to identify any necessary mitigation and the means by which this would be secured. **To the applicant** Given that Section 16.5.1.2 of the Environmental Statement (ES) [AS1-042] confirms that potential impacts on the Air Weapons Range have been scoped out, please can the applicant clarify any implications for the ES	The Applicant is liaising with the DIO in order to confirm the spatial extent of the safeguarding zones associated with Holbeach Air Weapons Range and if there is any potential for interaction. The Applicant understands the DIO will provide an update at Deadline 4. Section 16.5.1.2 of Chapter 16 of the ES scopes out impacts on the Holbeach Air Weapons Range from activities during installation of the offshore export cable, and DIO has not raised any concerns with regards the offshore export cable corridor so there are no implications for the ES in respect of offshore activities. DIO is concerned with impacts from construction of the onshore cable route. Onshore cable route impacts were not considered in Chapter 16 given that the route is outside the Danger Area associated with the Air Weapons Range. DIO drew attention to the existence of a safeguarding zone in their email response of 28/07/23 to Section 42 consultation on the PEIR (see Table 16.2 of Chapter 16), stating that sections of the onshore PEIR boundary fell within the zone, but further stated that proposed works should not present any safeguarding issues. This was noted in ES Chapter 16, but not considered further. In its response to ExQ1 (REP2-072) DIO states that potential harm could be addressed by adding specified construction details as a requirement of the code of construction practice and by including MOD as a consultee on the discharge of the requirement and on the discharge of a soil management plan. The Applicant will continue to engage with the DIO once the spatial extents of the safeguarding zones have been confirmed to agree any further mitigation required.
Q2 CM 1.5	Defence Infrastructure Organisation (DIO)	**Wide Area Multilateral (WAM) network** Please confirm if the DIO is satisfied with the applicant's response to ExQ1 CM 1.8 [REP2-051] as well as its feedback [REP3-054] on the DIO's own response to that question. If not, please specify necessary actions.	
Q2 CM 1.6	The Applicant Natural England (NE)	**Aviation and navigation lighting attracting birds** The ExA notes the respective responses to ExQ1 CM 1.11 from the applicant [REP2-051] and NE [REP2-074]. The applicant refers to the "Use of white or green lights where possible" as mitigation. In contrast, NE state that "studies suggest that blue, green, and other "cool" colour temperature light may be more disruptive to seabirds than "warm' yellow, or red lights." The applicant's response [REP3-054] to NE's advice does not address this apparent conflict. **To the applicant** The applicant is invited to provide further comments on this matter and put forward revised mitigation, if appropriate. To NE:	This is a typographical error on behalf of the Applicant. The response to ExQ1 CM 1.11 should have stated 'Restrict use of white or green light where possible' as opposed to 'Use of white or green light where possible'. As such, the correct response to this question is: At the detailed design stage, to install lighting that meets minimum safety requirements, the Applicant will comply with the Air Navigation Order (ANO) (2016), the DIO and the Civil Aviation Authority (CAA). Lighting meeting MOD minimum requirements will be installed and maintained throughout the lifetime of the project. The Applicant will aim to minimise impacts from the attraction of birds through, where permitted within the requirements above, by implementing the following mitigation measures. • Not using lighting where it is not required, either through not lighting every structure (as agreed for the Viking windfarm if possible, or through increasing the distance between lights in some other way). • Use of flashing lights and not steady burning lights where possible.

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		NE is invited to comment on the applicant's position.	• Restrict use of white or green lights where possible. • Reducing the intensity of lights where possible. • Shielding or down-lighting where possible. These measures have been secured within the Outline ORCP Lighting Management Plan (document reference 8.23), submitted at Deadline 4. Whilst the Applicant will endeavour to adhere to these measures where practicable for offshore structures, this cannot be at the risk of safety of marine users and aviation. As such, the Applicant would not consider it appropriate for Natural England to be a consultee on aviation lighting.

2.4 Commercial Fisheries and Fishing

Table 2.4: Commercial Fisheries and Fishing

Question ID	Question addressed to	Question	Response
Q2 CF 1.1	The Applicant	**Assumptions regarding the continuation of fishing activities** The ExA is aware of the applicant's response to ExQ1 CF1.1 in [REP2-051]. However, on the basis that skippers of fishing vessels will make their own decisions on whether or not to resume fishing activities within the array area once operational, it would not appear to be entirely unrealistic to assess the possibility that no fishing activities would take place. Indeed, in Table 14.2 of ES Chapter 14 [APP-069] the National Federation of Fishermen's Organisations comments that: "We disagree with the assumption that potting effort can continue in the site postconstruction … This is not known, as many factors influence whether potting can continue to take place in offshore windfarm sites." As such the ExA does not consider that a possible worst-case scenario (ie of no fishing activities at all being undertaken within the operational area) has been assessed in ES Chapter 14: Commercial Fisheries [APP-069] as this considers that some commercial fishing, primarily potting activities, would be able to take place within the array area. Taking this into account, justify the conclusions reached in ES Chapter 14 if, for Impact 6, it was assumed that no fishing activities whatsoever could take place within the array area once operational?	The maximum design scenario for Chapter 14 Commercial Fisheries (APP-069, Table 14.5), assumes a minimum spacing of 605m between up to 100 wind turbine generators (WTGs) built out within the array area. The minimum spacing of the WTGs is secured by Requirement 2(1)(d) of the draft DCO. To provide some further context, assuming gravity-based foundations are deployed, which have the maximum seabed footprint of any of the foundation options within the design envelope, approximately 0.3-0.4 % of the seabed in the 365 km^2 WTG area would be occupied by the foundations and the associated assumed advisory 50 m operating distance around them. The Applicant has also committed to a maximum of 50 % of foundation structures being gravity-based, hence the footprint described immediately above is precautionary and will be further reduced. The Applicant has also committed to an Offshore Restricted Build Area (ORBA) covering 16.4% of the array area; this does not reduce minimum WTG spacing but does commit to part of the array area not containing any surface piercing infrastructure, including WTGs (and associated foundations), offshore substations and accommodation platforms. These design commitments ensure that the impact assessment presented in Chapter 14 Commercial Fisheries (APP-069) can be considered precautionary in terms of the assumed maximum design scenario. During the operational phase of the Project, some methods of fishing can be expected to resume in the array area, and this assumption is reflected in the commercial fisheries impact assessment (APP-069, paragraph 99). The assumptions made in the impact assessment are reflective of policy guidance in paragraph 2.8.156 of NPS EN-3 (Department for Energy Security and Net Zero, 2024), which states; 'Whilst the footprint of an offshore wind farm and any associated infrastructure may be a hindrance to certain

Question ID	Question addressed to	Question	Response
			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.' The Applicant acknowledges that experiences in resumption of fishing within operational UK wind farms vary based on local fishing practices and conditions within the array area (this is also recognised in an NFFO publication, Can Fisheries Co-exist with Offshore Wind in the Race to Carbon Net Zero? (NFFO, 2021)). A well-studied and reported example of resumption of potting activity in Westermost Rough offshore wind farm is cited in Chapter 14 Commercial Fisheries (APP-069, para 253), though the Applicant is aware that the NFFO position is that this should not be assumed to be representative of experiences at other offshore wind farms. Regionally, and based on information gathered by the company FLO, it is understood by the Applicant that fishers are deploying static gear (e.g. pots) within existing operational wind farm array areas. This position is further supported by planned regional fishing gear trials, which will involve deployment of alternative fishing gear by 'fishing crews in Scarborough, Bridlington and Whitby who fish *around and within* offshore windfarms', indicating that fishers are active in operational wind farms in the region and able to support these trials (Offshore Wind Industry Council, 2024). Further to this, fishing vessel route density mapping, based on vessel Automatic Information System (AIS) positional data (extracts of this data are presented in Chapter 14 Appendix 1 Commercial Fisheries Technical Baseline (APP-170)) indicates that across the period 2017 to 2023, fishing vessels have been present in operational offshore wind farms in the region, including Westermost Rough, Humber Gateway and Triton Knoll (EMODnet, 2024). The commercial fisheries impact assessment notes that individual decisions made by the skippers of fishing vessels with their own perception of risk will determine the likelihood of whether their fishing will resume within the array area during the operational phase. The type and dimension of fishing gear also influences the potential opportunities within the array area. For example, the assessment acknowledges that large trawl gears (i.e. demersal trawls, pelagic trawls, purse seine) typically require a greater distance for safe operation and these gears are unlikely to target grounds in the vicinity of infrastructure and this is taken into account in the assessment. Again, this accords with the policy position in NPS EN-3. The assumptions made in the Project commercial fisheries impact assessment regarding the potential for potting to resume in the operational array area, as summarised above, are consistent with those made in equivalent assessments for other fixed foundation offshore wind farms in UK waters, including those already consented and operational in this region (for example, Westermost Rough, Triton Knoll, Humber Gateway, Race Bank, Sheringham Shoal, Lincs, Lynn, Inner Dowsing). Whilst noting the NFFO concern and ExA question, the Applicant considers that it is not appropriate or informative for the commercial fisheries impact assessment undertaken by the Applicant to consider design and assessment scenarios that are unrealistic. The

Question ID	Question addressed to	Question	Response
			Applicant does not agree that no fishing can resume within the operational array area and there exists no legal basis on which fishing activity could be precluded. On this basis, the assessment has not considered the preclusion of fishing within the operational array area. The Applicant also wishes to highlight that the NFFO has not submitted any further information to, or participated in, the Examination.
Q2 CF 1.2	Eastern Inshore Fisheries and Conservation Authority (EIFCA)	**Assessment of effects on commercial fishing activities** The ExA notes that the Eastern Inshore Fisheries and Conservation Authority (EIFCA) has been consulted by the Applicant, as recorded in Table 14.2 of ES Chapter 14 [APP-069]. Does EIFCA have any outstanding concerns regarding either the Applicant's assessment of effects on commercial fishing activities or the mitigation measures that the Applicant has proposed?	

2.5 Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

Table 2.5: Compulsory Acquisition, Temporary Possession and Other Land or Rights Considerations

Question ID	Question addressed to	Question	Response
Q2 CA 1.1	Affected persons/relevant interested parties	**Known inaccuracies** Are any Affected Persons or relevant Interested Parties aware of any inaccuracies in the BoR [REP3-011], SoR [REP3-014] or Land Plans [REP3-004] and [REP3-005]? This question is repeated, with updated examination library references, in the absence of responses from any affected persons or relevant interested parties at Deadline 2.	

2.6 Development Consent Order

Table 2.6: Development Consent Order

Question ID	Question addressed to	Question	Response
Q2 DCO 1.1	Lincolnshire County Council (LCC) The Applicant	**Part 3, Article 15** **To LCC** In its response to ExQ1 DCO 1.6 the applicant [REP2-051] set out its view that the power to alter the layout of any street is reasonable and necessary and provides sufficient flexibility to the applicant without providing a disproportionate amount of discretion to it. Does LCC agree? If not, why not? **To the Applicant** Provide examples of scenarios specific to the proposed development which would result in the applicant altering the layout of a street beyond the order limits in support of the inclusion of these powers within the dDCO. Since the ExA is concerned with the powers sought as they relate to the application before it,	The Applicant believes that it is necessary to retain this power and examples of where it will be necessary to alter streets outside of the Order limits would include the following: - Construction access routes, installation of passing bays and road widening. Indicative locations where works are proposed are shown in the Transport Assessment Annexe N 'Passing Place Proposals' (6.3.27.1 Annexe N AS1-094). These works will be undertaken largely outside the Order limits. - Abnormal Indivisible Load (AIL) movements. The Applicant has submitted an indicative route report for AIL deliveries in Transport Assessment Annexe A Special Order Swept Path Analysis (6.3.27.1 Annexe A) and an updated report including an alternative route (REP3-019). The temporary works (typically the temporary removal of street furniture and traffic islands at junctions and roundabouts) which will be required to accommodate the AIL movements will be outside the Order limits.

Question ID	Question addressed to	Question	Response
		further reference to other consented orders is not requested, nor would such further reference be considered helpful to the examination.	It should be noted that the powers conferred by Article 15(1) must not be exercised without the consent of the street authority (which in this instance is LCC), and that the Applicant has previously confirmed that it intends comply with LCC's Permit Scheme when undertaking any works in any streets subject to the said Permit Scheme. As such, LCC will have oversight and control over the use of these powers.
Q2 DCO 1.2	Lincolnshire County Council (LCC)	**Schedule 1, part 3. Requirement (R) 9** • R9 of the dDCO [REP3-006] establishes that the onshore substation works must be carried out in accordance with the details set out in requirement R9(1), which in turn must be in accordance with the Design Principles Statement [APP-293]. Is the local authority satisfied that the level of detail submitted within the Design Principles Statement [APP-293] is sufficient for it to assess whether details submitted under R9(1) would be in accordance with it? • Should an independent design review process also be secured under R9? If not, why not? (applicant is also welcome to respond to this question).	As set out in the updated Design Approach Document (DAD) (Document 8.18, version 2) and the Design Principles Statement (Document 8.19, version 2), an external independent review of the onshore substation design was undertaken in June 2024. The outputs of this review are detailed in Section 5.4 of the DAD. Requirement 9(3) requires that the details submitted in respect of Work No. 16 must be in accordance with the DPS. Compliance with the Design Principles outlined in the DPS (Table 3.1) are therefore secured under Requirement 9 of the dDCO. One such Design Principle is that a further external independent review of the OnSS design will be undertaken as part of the detailed design process. It should also be noted that Requirement 9 has been amended to name LCC as the discharging authority for this Requirement following confirmation from East Lindsey District Council, South Holland District Council and Boston Borough Council that LCC is the appropriate discharging authority for discharging detailed design matters (REP3-058).

2.7 Fish and Shellfish

Table 2.7: Fish and Shellfish

Question ID	Question addressed to	Question	Response
Q2 FSE 1.1	Cefas	**Response to Natural England's concerns regarding herring and sandeeel** Natural England (NE) in its RR, page 13 of [RR-045], has raised concerns about herring spawning grounds and preferential habitat for sandeel. However, NE defers to the technical expertise of Cefas. As no response was received to ExQ1 FSE 1.2 the ExA is asking again as to whether Cefas has any comments regarding the potential impacts of the Proposed Development on herring and sandeel that NE has identified? Please submit any comments you may wish to make by no later than Deadline 4.	
Q2 FSE 1.2	The Applicant	**Temporal restriction on piling activities** In its response to ExQ1 FSE 1.3 [REP2-092] the MMO has stated that it did not consider that temporal piling restrictions to mitigate for impacts on herring spawning would necessarily need to be enacted across the entire array and offshore ECC area. However, the MMO considered that it would be for the applicant to provide the information to inform this. Has this assessment work been done? If it has not yet been undertaken, is this something the applicant proposes to do (and if so, set out when this information will be provided). If not,	In response to the concerns raised by the MMO regarding impacts on Banks herring, the Applicant met with the MMO and their scientific advisors Cefas on 16th January 2025. The focus of that meeting was to discuss the comments submitted by the MMO at their Deadline 2 responses (Section 1.6 and ExQ1 FSE 1.3 in REP2-092). During the meeting with the MMO and Cefas, the Applicant also discussed the DEFRA policy document *Reducing Marine Noise* (DEFRA, 2025, published 21/1/2025), and the use of noise abatement systems, as the content of this policy document will influence the extent of temporal piling restrictions required. The Applicant is currently considering the advice received during

Question ID	Question addressed to	Question	Response
		then the applicant is requested to justify its reasoning for not undertaking this assessment.	that meeting and will provide further detail on this matter to the Examining Authority at Deadline 5.
Q2 FSE 1.3	The Applicant	**Information relating to the application of a 135 decibels Single Strike Sound Exposure threshold** In its most recent submission in annex 7 of [REP3-077] the MMO has maintained its position regarding the need for assessment of a 135 decibel threshold impact range for behavioural effects on herring using the Hawkins et al (2014) study methodology. In its relevant representation [RR-042] the MMO notes the limitations of the Hawkins *et al* study but also considers that it represents: "…the best current scientific evidence from which a quantitative threshold can be derived for the purposes of modelling behavioural responses in herring." The ExA notes that the applicant has set out its argument in response to this matter in The Applicant's Responses to Relevant Representations [PD1-071]. Notwithstanding the applicant's stated views on this, the applicant is nevertheless requested to provide the information sought by the MMO on this matter on a 'without prejudice' basis.	The Applicant provided the requested modelling results (specifically around the provision of noise modelling presenting the 135 decibel (dB) Single Strike Sound Exposure (SELss) contour from Hawkins *et al.* (2014)) within the Environmental Report for the Offshore Restricted Build Area and Revision to the Offshore Export Cable Corridor Appendix A Figures Part 1 (Figure 3.5 and Figure 3.6 in PD1-082). Regarding the requested 'without prejudice' assessment, the Applicant has reviewed the impact assessment for herring using the 135dB response threshold (Hawkins *et al.*, 2014) for behavioural effects. This assessment showed no demonstrable overlap of the 135dB behavioural response threshold with the key spawning ground for Banks herring off Flamborough Head to the north of the Project. The Applicant has discussed this matter further with the MMO and Cefas during a meeting on 16th January 2025, which included a discussion about the importance of the southern portion of the Bank herring spawning ground with the MMO and Cefas. The Applicant is currently considering the advice received during that meeting and will provide further detail on this matter to the Examining Authority at Deadline 5.

2.8 Good Design

Table 2.8: Good Design

Question ID	Question addressed to	Question	Response
Q2 DES 1.1	Lincolnshire County Council (LCC)	**Progress of the design process post-submission** In its response to ExQ1 DES 1.1 [REP2-051] the applicant noted that it had concluded that further substation visualisations would not be necessary. Do you agree?	
Q2 DES 1.2	The Applicant	**Design Principles, key aspects** In its response to ExQ1 DES 1.3 [REP2-051] the applicant notes that in its view design options can only be developed in detail once a decision has been made between the Air Insulated Switchgear (AIS) and Gas Insulated Switchgear (GIS) options it currently has for the onshore substation. In response to questioning during Issue Specific Hearing 3 [EV7-002] the applicant reiterated its approach and further clarified that its AIS option would not result in a large substation building within the landscape. The ExA notes that it is not uncommon for early stage design exploration to take place for most building typologies in advance of an application for consent, particularly those which would have a significant impact on their context and setting. The existence of options at an early design stage is neither unusual, nor would this be a factor which in itself precludes the exploration of design approaches	As detailed within the Design Approach Document (DAD) (Document 8.18, Version 2) and the Design Principle Statement (DPS) (Document 8.19, Version 2), as part of the design development, the Applicant has looked to develop potential options for the onshore substation (OnSS) building elements through engagement with the public, Community Liaison Groups (CLG) and design review panels (including both the local design review panel and the independent review panel). Since the development of these design principles, the Applicant has explored potential design options for: • The design of the built form, including the roofscape; • Cladding material(s); • Cladding colour; and

Question ID	Question addressed to	Question	Response
		for these options. In this case the applicant is clear that only its GIS option would result in it imposing larger sized buildings within the landscape and that this option would require greater consideration in terms of the design of a larger increased building mass, including elements such as roof design, choice of cladding material, and application of colour. Since there is only one 'building' option, the ExA reiterates it's request for the applicant to set out the factors which prevent it from developing early stage design studies for: • the design of the built form, including the roofscape • cladding material(s) • cladding colour • finishes for external fittings including doors, rainwater goods and external ironmongery as they would relate to this building option for the onshore substation.	• Finishes for external fittings including doors, rainwater goods and external ironmongery as they would relate to this building option for the onshore substation. These will be developed and undergo further design review with stakeholders and the discharge process secured under Requirement 9 of the dDCO, during the detailed design process. The following sections outline each aspect of the building design, along with commentary regarding the potential scope for these aspects to be explored as design alternatives for the OnSS. **Built Form:** The form of the AIS or GIS buildings will be determined by the technical and safety requirements of the onshore substation. The size of the electrical systems infrastructure to be accommodated in these buildings, plus air space required for cooling have been used to determine the maximum dimensions of the AIS and GIS buildings. The size of the buildings will be based on what is technically required and no larger than the maximum design parameters defined within the Environmental Statement (ES) and defined within the dDCO (Document 3.1, Version 7) with the height not exceeding 13m for AIS and 16.5m for GIS (measured above the finished ground level). The form of the buildings will be determined by the rectangular footprint within which the electrical components are arranged. Isometric visualisations presented in Plate 2.1 and 2.2 of the DPS illustrate how the layout and form of the AIS and GIS buildings would work and how the GIS buildings would be larger and the AIS buildings smaller (reduced height). **Roofscape** Various options for the roofscape have been considered by the Applicant, which are discussed below: • **Flat** - A flat roof is straightforward to construct, allows safe access for maintenance and has low visibility. However, flat roofs present issues such as poor water run-off, increased risk of water ingress, a higher frequency of maintenance requirements, the necessity for additional structural support with larger spans to accommodate snow and water loads, slightly higher walls (compared to an apex pitch roof) and create block structures with no articulation in the roofline. • **Apex** - Apex pitch roofs offer excellent drainage, which minimise risks of leaking due to effective water run-off. They also provide increased internal space for equipment and its ventilation, demonstrate durability against harsh weather, and introduce slightly lower walls and a more articulated roof profiles compared to flat roofs. The trade-offs include the more complex installation process and reduced accessibility for maintenance (compared to a flat roof). Apex pitch roofs are used on the majority of farm and industrial sheds in the surrounding area, making this roofline a familiar feature of the rural landscape. • **Mono-pitch -** The mono-pitch roof (single slope) would look unfamiliar in this rural landscape and would require a marked increase in the height of the supporting wall, especially in respect of the larger GIS buildings. This roof design allows for

Question ID	Question addressed to	Question	Response
			good water runoff to one side and features a simpler profile than apex roofs. However, this design can lead to uneven weight distribution, requiring reinforced structural support depending on the span. It provides less internal operational space than an apex roof and is susceptible to disproportionate wind uplift on the higher side. • **Curved** - The curved roof would also look unfamiliar in this rural landscape and is more complex to construct. When designed correctly, this roof type showcases a modern aesthetic with an improved aerodynamic design that minimises wind resistance, promotes efficient water runoff, prevents pooling, and can provide improved structural integrity. However, curved roofs are complicated and costly to design and build with specialised fabrication required, have increased visibility, and present significant challenges for maintenance and repair work. **Cladding materials** Functional and safety requirements will largely influence the choice of cladding materials for the AIS or GIS buildings, along with appearance, sustainability, maintenance, local sourcing, and cost of the materials. Below are the key technical requirements considered in the selection of materials to be used in constructing the AIS or GIS buildings, that will ensure compliance with national and local codes and standards. • Strong enough to form robust and secure large-scale structures. • Fire resistant and able to withstand high temperatures without compromising the material's structural integrity. • Resistant to severe weather conditions, including high winds, water ingress and heat waves. • Sufficiently durable. • Low maintenance. • Sustainable in terms of extraction and manufacture, transportation, construction processes and end-of-lifecycle re-use or recycling. • Appearance of materials in terms of colour, texture, and reflectiveness. The four cladding materials that have been considered by the Applicant in their materials analysis include masonry, timber, pre-cast, and pressed sheet steel. **Cladding Colour** The principal purpose in selecting colours and finishes for the AIS or GIS buildings is to ensure they are well integrated within their landscape setting. An initial study regarding colour selection for the onshore substation buildings has been carried out and is presented in Annex A and B of the DAD (Document 8.18, Version 2). Visualisations illustrate the application of ‘Khaki Green’, ‘Camouflage’, ‘Beige Grey’, and

Question ID	Question addressed to	Question	Response
			'Olive Green' from the Kingspan colour range and the effects these have on the appearance of the onshore substation buildings. While the visualisations illustrate the application of a single colour, alternative options include the use of different colours on different facades in response to the differences in natural light, the gradation of colour horizontally or vertically across the buildings, or the application of a colour pattern that could be used to relate the buildings to their landscape setting or express a particular design concept. The finish of the material is also an important consideration, for example, in the selection of smooth or corrugated sheet metal panels and with a gloss or matt finish in the application of colour. A corrugated surface would be the technical preference and would be typical of the local rural context, while the matt finish would avoid the potential reflectiveness of a gloss finish and would present a more muted effect. **Finishes for external fittings** Further to the above, the Applicant will take a co-ordinated approach to the design of external finishes for the doors, trims, and downpipes. Along with applying the required functional principles to ensure a robust design, the external finishes will be designed to reflect the overall design of the AIS or GIS buildings, including material selection and colour choices.
Q2 DES 1.3	The Applicant	**Effectiveness of mitigation** In its response to ExQ1 DES 1.4 [REP2-051] the applicant relies on the effectiveness of new planting to mitigate the landscape and visual effects of the proposed substation structures, noting that its priority would be to implement effective mitigation in the shortest practicable timeframe. Notwithstanding this, the applicant notes that its proposed planting would not mitigate significant effects until a period sometime between 5 and 15 years after it is put in place. Explain with reasons why the applicant believes that the development of an integrated, site specific, co-ordinated design solution for the substation structures is viewed as a less effective and timeframe efficient approach to minimising the adverse effects of the proposed substation structures than a planting strategy with its associated multi-year timescale.	The Applicant is pursuing an integrated, site specific, co-ordinated design solution and believes that this requires design development of both the substation structures and the surrounding landscape to ensure a holistic response is achieved. In terms of the design development, this follows an iterative process working with an increasing scope at each stage of project development. At PEIR and ES there was sufficient scope to develop an indicative plan of proposed mitigation planting that would mitigate significant effects through creating an effective screen between years 5 and 15. There was not sufficient information at these stages to determine whether AIS or GIS would be the preferred technology for the onshore substation. Furthermore, the detailed design of the onshore substation will not be developed until post-consent. Post-consent, the onshore substation will be designed by a nominated specialist contractor that would include architectural and engineering inputs. The nominated specialist contractor will design and implement the onshore substation through the construction phase. The development of the detailed design will provide the design (as approved by LCC under dDCO Requirement 9) of the onshore substation and the landscape planting together and will look to fully maximise the scope of the onshore substation design as described in response to Q2 DES 1.2 above and as outlined in Section 5 of the DAD (Document 8.18, Version 2). The co-ordinated design of the substation and the landscape will ensure the overall development responds positively to the unique attributes of the site and context, and that it is well integrated within the landscape setting.

2.9 Habitats and Onshore Ecology including Onshore Ornithology

Table 2.9: Habitats and Onshore Ecology including Onshore Ornithology

Question ID	Question addressed to	Question	Response
Q2 HOE 1.1	The Applicant	**Outstanding matters identified on Natural England's Risk and Issues Log** Please provide a response to each unresolved onshore ecology (tab H) and onshore ornithology (tab I) issue listed in Natural England's (NE) Risk and Issues Log [REP3-074] and associated appendices [REP3-072 and REP3-073] submitted at deadline 3 clarifying: • what action, if any, has been taken by the applicant to seek to address the issue to date • what actions are planned to be taken to address outstanding issues and by when. This should include details of any plans and documents to be updated and confirmation of the means by which they are secured in the dDCO • issues upon which the applicant disagrees with NE's position and where this is likely to remain the case at the close of the examination. In such cases, please provide justification for not adhering to NE's advice having regard to relevant policy, legislation, guidance and evidence.	Natural England's Risk and Issues Log has been reviewed. Comments relating to each of the issues are provided in The Applicant's Comments on Natural England's Risk and Issues Log (document reference 21.8). In each instance, the Applicant has clearly set out its position and in doing so, believes that the following issues can now be resolved: Appendix H2 Onshore Ecology • 1 –35 • 38 • 40 • 42 • 45 • 47 –51 54 -57 The remaining points (36, 37, 39, 41, 44, 46 52 & 53) relate to ALC surveys, cumulative impacts on agricultural land, and the protection and restoration of BMV land. Appendix I2 Onshore Ornithology: • 1 and 2 – already Green status. • 3 • 4 • 6 • 8 – already Green status. • 9 and 10 • 12, 13 and 14. The remaining points (5, 7, 11 and 15-18) each relate to the matter of potential temporary construction disturbance impact to pink-footed goose, golden plover, lapwing and curlew and the resulting mitigation requirements.
Q2 HOE 1.2	Natural England (NE)	**Outstanding matters identified on NE's Risk and Issues Log** The ExA notes NE's advice outlined in its covering letter to its deadline 3 submissions [REP3- 066] that "Where the Applicant considers their response to be sufficient, we reiterate that for issues to be considered resolved, an amendment or commitment will need to be included within the relevant secured named technical document or plan and reviewed within the wider context of the Application." The ExA also note that the applicant has provided responses to matters raised by NE, including in its response to NE's relevant representation [PD1-071], responses to ExQ1 [REP2-051] and in its comments on deadline 1 submissions [REP2-053]. However, it is not always clear how NE has considered the applicant's position when it comes to update its Risk and Issues Log. For example, the applicant has provided	

Question ID	Question addressed to	Question	Response
		a detailed explanation of its position in relation to NE's advice on the use of a 200m buffer to assess impacts from construction dust where the onshore order limits pass close to a designated site (NE reference H1). However, the corresponding row on NE's Risk and Issues Log [REP3-074] merely states "no change" across each deadline to date. In response to ExQ1 LU 1.23 [REP2-074], NE did address the applicant's response to issues H19 and H22 from NE's Risk and Issues log appearing to indicate that it had no further concerns. However, the latest version of the Risk and Issues Log submitted at deadline 3 still show both issues as amber with "no change" recorded against progress. • Please provide clarification on the above • In the next iteration of the Risk and Issues Log, please elaborate on the commentary for unresolved issues where "no change" is cited for progression, having regard to the applicant's responses, where given. Please specify where remedy required by the applicant would go beyond NE's general advice that where the applicant considers issues to be resolved "…an amendment or commitment will need to be included within the relevant secured named technical document or plan and reviewed within the wider context of the Application" • Please confirm the extent to which the Outline Landscape and Ecological Strategy (OLEMS) [REP3-028] as updated at deadline 3 resolves outstanding concerns.	
Q2 HOE 1.3	The Applicant	**OLEMS - bat mitigation** The applicant's response to NE's deadline 1 submission [REP2-053] regarding bat mitigation (H1, paragraph 9) noted that "The timings stated within the OLEMS (PD1-057) and the Schedule of Mitigation (V3 submitted as part of Deadline 2) relating to the provision of artificial flightlines will be updated to reflect the recommendations i.e. these will be provided throughout the year where required. An updated OLEMS will be submitted at Deadline 3". However, it is not clear from the OLEMS submitted at deadline 3 if these changes have been made. Please provide clarification and make any necessary updates to the OLEMS.	The OLEMS (document reference 8.10, version 5) has been updated to reflect that artificial flightlines will be provided throughout the year where required
Q2 HOE 1.4	Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC) Lincolnshire Wildlife Trust (LWT)	**Hedgerow related amendments to the draft Development Consent Order (dDCO)** Provide comments on the applicant's proposed amendments to the dDCO as outlined in its change notification [REP3-050] dated 13 December 2024 on: amendments to the dDCO (Document 3.1) (dDCO) based on the Applicant's review of The Management of Hedgerows (England) Regulations 2024; and amendment to the dDCO to include within Schedule 17, Part 2 a further important hedgerow under the Hedgerow Regulations 1997 which may be required to be removed. The ExA confirmed on 20 December that the amendments were not substantial changes that would warrant a formal change request [PD-019].	
Q2 HOE 1.5	The Applicant	**Arable field margins**	

Question ID	Question addressed to	Question	Response
		The applicant provides clarification [REP3-053] regarding the status and purpose of arable field margins as referenced in the OLEMS in its deadline 3 submission [REP3-028]. The updated OLEMS also reflects the intended focus on ecological field margins. However, paragraph 240 of the OLEMS still states "Information regarding the types of arable field margins that could be sown are available from Natural England (Website)." • Please elaborate on the type of margins that might be sown and update the OLEMS, if appropriate • If paragraph 240 is intended to direct the reader to the relevant NE website with the necessary information, please specify which website and provide a link to it	The OLEMS (document reference 8.10,version 5) has been updated at Deadline 4 to include reference to guidance provided by DEFRA in relation to Agri-Environmental Scheme options relating to flower-rich margins. Guidance is available regarding the composition of seed mixes on the .Gov webpages: • AB8: Flower-rich margins and plots - https://www.gov.uk/countryside-stewardship-grants/flower-rich-margins-and-plots-ab8#what-to-sow • CIMP2: Flower-rich grass margins, blocks or in-field strips -CIPM2: Flower-rich grass margins, blocks or in-field strips - GOV.UK
Q2 HOE 1.6	Lincolnshire County Council (LCC)	**Local Impact Report (LIR) - Overall impact of the development on biodiversity and ecology** Paragraph 8.31 of the LCC's LIR [REP1-053] concludes that "If the mitigation measures including the establishment of an ecological steering group are secured and delivered as proposed the Council considers that the development would have a minor negative impact on onshore ecology" If the establishment of an ecological steering group is not secured, what would LCC's position be on the overall impact on ecology?	
Q2 HOE 1.7	Lincolnshire Wildlife Trust (LWT)	**Onshore cable routing and grid infrastructure** Please confirm if the applicant has sufficiently addressed matters raised by LWT in response to its relevant representation [PD1-071] and in response to ExQ1 HOE 1.6 [REP3-054].	
Q2 HOE 1.8	The Applicant Lincolnshire County Council (LCC)	**Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund** • Please provide an update on any negotiations regarding the Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund. • LCC is invited to share details of any other Nationally Significant Infrastructure Projects in Lincolnshire where an Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund have been sought and if they have been secured.	The Applicant is continuing to engage with LCC in relation to the Section 106 asks detailed within the LCC LIR (REP1-053) and will seek to agree any appropriate mitigation/compensation as soon as possible. The current draft of the Section 106 agreement includes provision for an Ecological Steering Group, Environment Compliance Officer and Ecology Enhancement Fund. The Applicant has sent a draft of this agreement to LCC on the 23rd January for further discussions. The Applicant notes the programme established by the ExA (PD011), with a requirement for completion of any Section 106 Agreement by Deadline 6 (4 April 2025).
Q2 HOE 1.9	Natural England (NE) Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC) Lincolnshire Wildlife Trust (LWT)	**Monitoring, aftercare and compliance audits** Please provide comments on the applicant's response to ExQ1 HOE 1.14 [REP2-051], its feedback on other responses to ExQ1 HOE 1.14 [REP3-054], as well as the related updates to the OLEMS [REP3-028].	

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Q2 HOE 1.10	The Applicant Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC) Lincolnshire Wildlife Trust (LWT)	**Compensatory habitat for skylark and yellow wagtail** The applicant's response to ExQ1 HOE 1.11 [REP2-051] refers to the use of severed agricultural land to provide compensatory habitat for skylarks and yellow wagtail. It states "The mitigation on severed land is not included in the Order Limits and therefore not secured in the dDCO however the Applicant has agreed voluntary Heads of Terms with 94% of landowners along the ECC route and these agreements contain provisions for severed land. The Applicant is therefore confident that the mitigation measures are secured and can be implemented". • Can the applicant please clarify if details of compensatory habitats will be subject to consultation and approval with relevant stakeholders? If not, why not? If so, how is this secured? • NE, LCC, ELDC, BBC, SHDC and LWT are invited to comment on the applicant's approach	Once detailed design has been undertaken, and prior to the discharge of the DCO requirements, the Applicant will agree the extent of severed land with landowners as defined by the Outline Code of Construction Practice (document reference 8.10, version 5), submitted at Deadline 4, this will then allow detailed design of compensatory habitats which will be outlined in the final Ecological Management Plan, secured under Requirement 12, which is subject to approval by LCC in consultation with the LPAs.
Q2 HOE 1.11	The Applicant	**Boston Alternative Energy facility compensation site** The applicant's response to ExQ1 HOE 1.12 [REP2-051] states that it is expected that the Wyberton Roads South compensation site will be delivered in advance of the applicant's construction phase and that the applicant will continue to liaise with Boston Alternative Energy Facility (BAEF) to ensure synergy between the two projects. • Should section 3.7.5.3 of the OLEMS [REP3-028] include reference to the need for continued engagement with BAEF? • Please provide details of any feedback from BAEF in relation to the applicant's proposed mitigation for the compensation site.	Section 3.7.5.3 of the OLEMS (document reference 8.10, version 5) has been updated to include reference to the ongoing engagement between the Applicant and BAEF. The Applicant has been continuing to liaise with BAEF. The Applicant amended the Order Limits to not interact with the BAEF compensation site at Deadline 1 to remove Plots 35-004-35-008. The Applicant will continue to liaise with BAEF regarding timings of their works at the compensation site and ongoing monitoring of the site to assess any potential impacts to their project.
Q2 HOE 1.12	The Applicant The Royal Society for the Protection of Birds (RSPB)	**Impacts on the RSPB's Frampton Marsh and Freiston Shore reserves** Please provide an update on the RSPB's intention [REP1-047] to provide the applicant with a plan of the water supply pipeline and the applicant's commitment in response [REP3-038] to update the crossing plan and schedule in order to avoid any damage to the pipeline as a result of the Proposed Development.	The Applicant has not received a plan of the water supply pipe but has used a sketch previously provided by the RSPB to update the Crossing Schedule (6.3.3.2, version 5) and Crossing Plan (2.18, version 6). Updated versions of these documents have been submitted at Deadline 4.
Q2 HOE 1.13	The Royal Society for the Protection of Birds (RSPB)	**Lincolnshire Wash Landscape Recovery Project** Please provide the RSPB's review of the applicant's OLEMS [REP3-028] in relation to alignment with the Landscape Recovery Project as indicated in the RSPB's Written Representation [REP1- 047].	

2.10 Habitats Regulations Assessment (HRA)

Table 2.10: Habitats Regulations Assessment (HRA)

Question ID	Question addressed to	Question	Response
1 HRA General Questions			
Q2 HRA 1.1	The Applicant	**Updates to the Report to Inform Appropriate Assessment (RIAA)**	The RIAA has been updated to include the second season of winter bird survey data and has been provided at Deadline 4. This information had previously been presented within

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		As per the advice from Natural England (NE) in Appendix I2 of its deadline 3 submission [REP3- 073], please update the Report to Inform Appropriate Assessment (RIAA) [AS1-095] to consider the second year of onshore bird data and NE's advice provided at deadline 1 [REP1-066] and deadline 3 [REP3-073] in relation to potential impacts and the need for further mitigation measures to remove the risk of an Adverse Effect on Integrity (AEoI) on the Wash Special Protection Area (SPA). Also, the offshore restricted build area (ORBA), that has now been accepted into the examination, has resulted in different predicted mortality predictions for a number of species such as guillemot, razorbill and kittiwake. The ExA is aware that action point 4 from ISH 2 [EV6-004] requires the applicant at deadline 4 to update the HRA and compensation documents to reflect the changes to figures as a result of the ORBA introduction and to ensure consistency of presentation for any updated figures with explanations where necessary. In addition to this, for ease of comparison, the ExA requests that the applicant submits a summary document that contains all the appropriate figures that have been amended due to the introduction of the ORBA and a summary of the changes made to the assessments. This should include the predicted offshore and intertidal ornithological mortalities and any associated compensation requirements that have been amended to account for this.	the 2023-24 winter bird survey report [AS1-108]. Broadly, the existing mitigation measures have been retained and are considered to remain appropriate to address potential impacts and ensure no AEoI, as explained in response to Natural England's advice at Deadline 3 [REP3-073]. Additional mitigation has however been included in the form of visual screening in the seasonally restricted area around The Haven. Following the acceptance of the ORBA and the change to the offshore ECC, and in accordance with the request for this at action point 4 from ISH 2 (EV6-004), an updated RIAA and compensation documents has been submitted at Deadline 4. This includes revised mortality predictions for a number of species such as guillemot, razorbill and kittiwake. A summary document that contains all the appropriate figures that have been amended due to the introduction of the ORBA, including the predicted offshore and intertidal ornithological mortalities and associated compensation requirements that have been amended, and a summary of the updates made to the assessments is provided as Annex 1 to this response submitted at Deadline 4.
Q2 HRA 1.2	The Applicant	**Potential for Adverse Effect on Integrity on The Wash SPA** Notwithstanding the above, the ExA notes that NE still identifies a risk of an AEoI on the Wash SPA as reiterated in Appendix I2 of its deadline 3 submission [REP3-073]. In order to take account of the potential situation whereby AEoI on the Wash SPA cannot be ruled out, please provide the necessary information for a derogation case on a 'without prejudice' basis.	The Applicant is seeking to engage with Natural England to discuss their outstanding concerns in respect of any potential adverse effects on the Wash SPA, in order to discuss the necessary information that would form the basis of a without prejudice derogation case. The Applicant also wishes to discuss further the mitigation proposed in the Dudgeon and Sheringham Extension DCO Examination, as outlined below, and whether this can be adapted to be applicable to the Project and therefore remove any outstanding concerns Natural England may have. *Additional mitigation measures which could be implemented to address the potential disturbance impact to qualifying features utilising potential FLL have been provided by Natural England in their best practice advice note [Dudgeon and Sheringham Extension projects REP1-037, referenced within REP3-073]. This describes two options for mitigation.* *The first option entails regular crop mapping surveys to identify potential foraging habitat for pink-footed goose. That is followed by a watching brief prior to works commencing to identify goose flocks. Works would then be delayed near goose foraging locations. Where delay is not possible, complex energetic modelling would be undertaken. Should that determine that birds would be energetically compromised, negatively affecting their fitness, then mitigation would be required as described for Option 2.*

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			Option 2 consists of providing an alternative foraging resource, with works undertaken irrespective of goose displacement. This would consist of provision of grain and/or sugar beet at an undisturbed location.
	The Applicant and Natural England (NE), The Marine Management Organisation (MMO) and The Royal Society for the Protection of Birds (RSPB)	**The Applicant's Mid Examination Principal Issues Tracker** The applicant's deadline 3 Mid Examination Principal Issues Tracker [REP3-052] would seem to be at odds with the position of NE in its latest Risk and Issues Log Deadline 3 [REP3-074] in that in [REP3-052] there are no matters that are colour coded as red (i.e. the interested party / parties and the applicant are unable to align their positions) whereas in [REP3-074] there are a number of issues that are still colour coded as red, particularly in relation to offshore ornithology compensation. The ExA notes that the criteria for a colour coding of red varies between that applied by NE and that used by the applicant. NE uses a red colour coding where it considers that it is not possible to ascertain beyond reasonable doubt that there would not be an effect on the integrity of an SAC/SPA/Ramsar site or to highlight where there is a significant risk that an issue will not be sufficiently addressed within the examination timescales. However, the applicant's definition of a red colour coding in [REP3-052] is that "The Interested Party / Parties are unable to align their positions." Whilst an amber colour coding is where "The Interested Party / Parties are in discussions to discern whether positions can be aligned." **To applicant:** To what degree is there consistency between the colour coding system that has been applied respectively in, for example, [REP3-074] and [REP3-052] and if there is inconsistency then how can the ExA or any interested parties usefully compare between the two sets of documents? **To the applicant, NE, RSPB and MMO:** Based on the colour codings used and their definitions, is the applicant painting an overly-optimistic picture in [REP3-052] in regard to the outstanding disagreements with organisations such as NE, RSPB and the MMO and the likelihood of these matters being resolved during the remaining course of the Examination? If not, then please explain why?	The Applicant confirms that the colour coding used in REP3-074 (Natural England's Risk and Issues log) and REP3-052 (the Applicant's Mid Examination Principal Issues Tracker) do differ as set out by the ExA. The Applicant's position when drafting REP3-052 is that, with the Applicant's intended extent of engagement with stakeholders through the remainder of the Examination, via both the formal deadline submissions and the hearings, as well as direct bilateral engagement, there remains sufficient time to reach agreement on areas of current non-alignment. In order for the ExA to usefully compare positions, and remove any issues of inconsistency, the Applicant has responded directly within Natural England's Risk and Issues log to each of the methodological points raised. The Risk and Issues Log with the Applicant's response to each of the points has been submitted at Deadline 4 (document reference 21.8). The Applicant considers that, following the recent productive meetings the Applicant has held with the MMO (16th January 2025 and 20th January 2025) and Natural England (17th January 2025), there still remains the opportunity to reach further agreement on many matters which are labelled as "Red" within REP3-074.
Q2 HRA 1.4	The Applicant	**Updated in-combination assessment** In response to ExQ1 HRA 1.2 the applicant in [REP2-051] has stated that it will be undertaking an updated in-combination assessment to include revised data from other projects where the status has changed since the start of this examination. Please advise when this updated in-combination assessment will be submitted and whether the results will be presented to NE prior to submission of any update.	The Applicant has undertaken an updated in-combination assessment as part of its updates to the RIAA V3 as submitted at Deadline 4 (document reference 7.1). The results have not been independently presented to Natural England ahead of this deadline. However, the Applicant has been providing documents submitted for each Deadline direct to Natural England at each Deadline to ensure that the maximum time is available for reviews of information.
2 Derogation Case and Compensation Measures			
Q2 HRA 2.1	Natural England (NE) The Royal Society for the Protection of Birds (RSPB)	**Assessment of the amount of guillemot and razorbill compensation** In its deadline 3 submission Guillemot and Razorbill: Compensation Quanta [REP3-049] the applicant has expressed serious concerns about the multiplier effects that would give rise to what it considers to be a significant degree of over-precaution. In the Executive Summary of [REP3- 049] the applicant contends that using NE's preferred approach would require the delivery of compensation for guillemot "… at a scale in line with 17% of the English breeding population and to deliver	The Applicant maintains its position in relation to the use of the Hornsea Four approach when calculating compensation. The Applicant has highlighted specific concerns with the Hornsea Three methodology within previous submissions, specifically REP2-057 Levels of precaution in the assessment and compensation calculations for offshore ornithology and Guillemot and Razorbill Compensation Quanta (REP3-049) document submitted at Deadline 3. Further detail on these concerns is provided within the Applicant's response

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		compensation for razorbill at a scale in line with the global population" and that "…a compensation calculation method that returns requirements at this scale cannot be considered fit for purpose and does not align with the appropriate use of the precautionary principle." Please comment on this and justify your approach to the calculation of compensation requirements in this context.	to Q2 HRA 2.8 and 2.9 below and within the response to Natural England's Appendix G1 to Deadline 3 submission (document reference 21.3) submitted at Deadline 4. In summary, within the Applicant's submission, Guillemot and Razorbill Compensation Quanta (REP3-049), the Applicant has demonstrated that the compensation calculated using the Hornsea Four approach results in compensation requirements that are appropriate and suitably precautionary, whereas the compensation calculated using the Hornsea Three part 2 approach results in compensation requirements that are disproportionate and not appropriate.
Q2 HRA 2.2	The Applicant	**Updated information on compensation measures for razorbill and guillemot** In Risk and Issues Log Deadline 3 submission [REP3-074] NE has maintained a number of overarching concerns (colour coded as red) about the Applicant's approach to the formulation of its proposed compensation measures and the amount of information that has been provided for kittiwake, guillemot and razorbill. The ExA notes that for a number of these 'red' issues NE's position at deadline 3 is that it has not responded to the tracked version of the Predator Control Evidence Base and Roadmap [REP2- 026] and will respond at deadline 4. Notwithstanding this, please comment on the current situation regarding the concerns raised by NE in [REP3-074] regarding compensation measures and for each of the matters that are colour coded as red specify whether the applicant is intending to submit any additional information to address the concerns that have currently been raised by NE. If not, then the applicant is requested to explain why.	The Applicant has responded to each of the points raised within the Risk and Issues Log supplied by Natural England at Deadline 4 (document reference 21.8). This updated document provides the Applicant's current position regarding the concerns raised by Natural England in [REP3-074] and, for each of the matters that are colour coded as red, the additional information that has been submitted by the Applicant to address these concerns. With respect to compensation measures for razorbill and guillemot, the additional information provided includes an updated Without Prejudice Predator Control Evidence Base and Road Map (document reference 7.7.5) (and Annexes - Annex 1: Feasibility Study Report for a Predator Exclusion Fence, Annex 2: Plémont Seabird Sanctuary Design Statement and Annex 3: Plémont Seabird Sanctuary Management Plan (document reference 7.7.5.1)), an updated Without Prejudice Additional Measures for Compensation of Guillemot and Razorbill (document reference 7.7.6), and updated Compensation Plans to include compensation quanta calculated using Natural England's preferred approach (document references 7.7.2 and 7.7.3).
Q2 HRA 2.3	Natural England Royal Society for the Protection of Birds	**Non-material change to the Order regarding lead-in time for Offshore ANS for kittiwakes** On 27 November 2024 the applicant indicated in [REP2-064] that it would seek to reduce the lead-in time for the provision of the proposed offshore artificial nesting structures (ANSs) from 3 years down to 2 years. The applicant has provided its Lead-in periods for kittiwake breeding on Artificial Nesting Structures [REP2-060] to provide justification for its proposal. Comment on the acceptability of this proposed reduction and whether, in your view, this would affect in any way the methodology regarding the calculation of the proposed compensation measures for the kittiwake feature of the FFC SPA. If so, then please stipulate what updates to the assessment methodology you would wish the applicant to undertake and which of the submitted examination documents would require updating as a result.	The Applicant met with Natural England on 17th January 2025 to discuss the Applicant's proposed change regarding lead in time for offshore ANS for kittiwakes. Both Natural England and the RSPB have provided responses to the Change Consultation – Lead in Times for Artificial Nesting Structures of 20 December 2024. The Applicant has responded directly to these consultation responses within document reference 21.19. The Applicant has also provided an updated version of REP2-060 submitted at Deadline 4 (document reference 19.11) in order to provide further information and clarity regarding the specific points raised by Natural England; this includes clarity on the term 'compensation requirement' and how that has been calculated, further information on the parameters used to inform growth modelling, the inclusion of additional models using different colony starting sizes and colony growth scenarios. The updates provided do not affect the overall conclusions made in the original document (REP2-060), ie that the proposed reduction in lead in times would not impact the overall delivery of compensation for kittiwake from ANS at the required rate over the lifetime of the Project.
Q2 HRA 2.4	The Applicant	**Commencement of work at the Plémont Seabird Reserve** In response to ExQ1 HRA 2.7 the applicant has stated in [REP2-051] that work funded by the applicant will be undertaken at the site from 2025. Having regard to this:	The Applicant is currently agreeing the Scope of work to be undertaken which would take place during 2025 with the National Trust of Jersey. It is currently expected that this will include:

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		• Will details of any such work at the Plémont Seabird Reserve be provided before the close of the examination that is scheduled for April 2025?; • When and how is the success or not of this work to be monitored to inform other potential compensation measures?	• Habitat management work, including the clearance of bracken on the site after the 2025 breeding season • Procurement of guillemot (and razorbill) decoys in readiness for deployment in time for the 2026 breeding season • Preparation for playback calls of guillemot and razorbill during the 2026 breeding season • Trapping work to start in November 2025 after bracken clearance works are completed. The Applicant notes that even if the work were to be commenced prior to the 2025 breeding season which is from May to July it would not be possible to provide any information regarding results prior to the close of examination as this is at the beginning of the breeding season. The Applicant's position is that the Plémont Seabird Reserve can provide the requisite compensation for guillemot and razorbill using the applicants approach as outlined in REP2-025 and REP3-049. However, in recognition of the disagreement with Natural England and the RSPB on potential compensation quantum and that the Secretary of State (SoS) may deem further compensation is required, the Applicant is also progressing disturbance reduction measures in SW England (see updates provided in the Without Prejudice Additional Measures for Compensation of Guillemot and Razorbill (document reference 7.7.6 submitted at Deadline 4)) and provision for auk nesting on any ANS to be installed by the Project. As such, the success or not, of the work to be carried out at the Plémont Seabird Reserve during 2025 and 2026 prior to the installation of the fence is not expected to 'trigger' other potential compensation measures. Rather, should a level of compensation be required by the SoS that is in excess of that which can be provided by the Plémont Seabird Reserve, then a suite of compensation measures can be deployed to meet any deficit. Each of these compensation measures will have their own adaptive management measures that would be triggered should the agreed success criteria not be met, as outlined in The Applicants response to Q2 HRA 2.6 in this document.
Q2 HRA 2.5	The Applicant	**Auk and kittiwake compensation on artificial nesting structures (ANS)** In response to ExQ1 HRA 2.3 the applicant stated in [REP2-051] that: "An ANS concept study (commercially sensitive) is being undertaken by the Applicant. The design of the ANS will incorporate nesting spaces specifically tailored to accommodate guillemot, and razorbill in addition to kittiwake." When will this study be completed and if this is during the course of this examination will all, or at least some, elements of this study be submitted into the examination? If it is ready but not submitted then explain why.	The Applicant's position is that adequate detail has been provided in relation to the ANS compensation measure and that the measure is sufficiently well evidenced to demonstrate that the measure can be secured and delivered, as outlined in response to Q1 HRA 2.3 of REP2-051 at Deadline 2. To summarise again here: • the two areas identified as potential locations for the Project's ANS, secured through the Deemed Marine Licences within the dDCO , have been confirmed as ecologically appropriate through the Kittiwake Strategic Compensation Plan (KSCP). • a letter of Comfort provided by The Crown Estate (TCE) (document reference 19.13) confirms TCE have the ability to grant the rights required in respect of the construction of the Offshore ANS site(s), subject to the relevant conditions outlined in the letter.

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			• The Applicant is in discussion with TCE to progress the Agreement for Lease and the associated the lease for the relevant areas of seabed. The Applicant continues to liaise with the KSCP, and a (commercially sensitive) concept study is in development. • the functional specifications identified through the concept study will inform the detailed design and Engineering, Procurement, Commissioning and Installation (EPCI) stage which is not expected to commence until Q3 of 2025 at the earliest. The Applicant is seeking consent under the DCO and deemed marine licences (Schedules 12 to 15 of the DCO) for ANS structures (Work No. 9). A design envelope approach has been used to ensure the likely environmental effects are understood for an appropriate range of parameters which might be required to deliver the compensation ultimately determined to be necessary, with scope for adaptive management. The Applicant has continued to progress an ANS concept study, the primary purpose of which is to identify the functional specifications required to support a call for tenders as part of the detailed design which will form part of the EPCI ANS procurement process. The functional requirements and any preliminary/illustrative options under that concept study are consistent with (and fall within) the design envelope assessed and presented within the DCO, parameters outlined Table 10.1 of the Crown Estate Kittiwake Strategic Compensation Plan (APP-260), and the Offshore Artificial Nesting Structure Evidence Base and Road Map (APP-259). It is not the Applicant's intention to restrict any proposed tenderer to adhere to any illustrative design under that concept study. On that basis the Applicant does not consider that preliminary/illustrative designs which are emerging from the concept design study (and which are commercially sensitive) would be useful to the consideration of the DCO, as the Applicant is not (and will not during the course of the Examination) be in a position to commit to any restrictions or level of detail flowing from the ANS concept study. For that reason the Applicant does not intend to submit the concept study or elements thereof into the DCO Examination.
Q2 HRA 2.6	The Applicant	**The provision of adaptive management and / or additional compensation measures** In relation to ExQ1 HRA 2.8 in the Applicant's Responses to the ExA's First Written Questions [REP2-051] the applicant has stated that: "In the event that The Secretary of State deems that compensation beyond that which could be provided by the Plémont Seabird Reserve is necessary then the Additional Measures across the sites in South West England and the use of ANS which will be designed to accommodate both auk species are secondary and tertiary measures to enable any necessary compensation quantum to be met. Should the Secretary of State agree that the Plémont Seabird Reserve provides sufficient compensation for the project, then the Additional Measures across the suite of sites in the South West of England and the use of ANS could represent adaptive management measures."	Article 46 (Compensation Provisions) of the draft Development Consent Order (Document 3.1, 3 February 2025) provides that Schedule 22 (Compensation measures) is to have effect. Schedule 22 is split into a number of parts, by reference to the feature which is the subject of the compensation provision. Each part follows a similar structure, but provides for the potential compensation measures relevant to the particular feature. Taking the compensation provisions relevant to the guillemot feature of Flamborough and Filey Coast Special Protection Area as an example, Part 2 of Schedule 22 provides for (i) the establishment of a Guillemot Compensation Steering Group; (ii) the preparation of a guillemot compensation implementation and monitoring plan – which must be the subject of consultation with the steering group and must be based on the strategy for guillemot compensation set out in the guillemot compensation plan – a draft of which is before the Examination and has been updated at this Deadline,[Document 7.7.2 version 2]; (iii) the guillemot compensation implementation and monitoring plan ("Guillemot CIMP") must include prescribed information relevant for each compensation measure which the Applicant is proposing to take forward. In respect of the predator

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		The ExA infers from the above statement that these additional measures would only be undertaken prior to / at the start of the proposed development if the applicant is required to do so by the Secretary of State. However, if not required to do so by the Secretary of State, these could represent adaptive management practices in the future if required. In the event of the latter approach: • how can the ExA be confident that a commitment to these as adaptive management measures is adequately secured in the dDCO? • what would be the monitoring and assessment process that would trigger the implementation of the additional adaptive management measures that have been referenced in response to ExQ1 HRA 2.8 in [REP2-051]? • within what timescale would the monitoring to inform the above assessment be undertaken and how would this be consulted upon? • How would the adaptive management practices be prioritised for implementation, for example would ANS for auks or further measures at the Plémont Seabird Reserve take precedence over the potential management measures at the South West sites?	eradication measure; the disturbance reduction and habitat improvement measure; and the artificial nesting measure, the information which will require to be approved by the Secretary of State as part of the Guillemot CIMP includes "details of the proposed ongoing monitoring and reporting on the effectiveness of the measures, including: survey methods; success criteria; adaptive management measures; timescales for the monitoring and monitoring reports to be delivered; and details of the mechanism to determine the need for any alternative compensation measures and/or adaptive management measures" (Paragraph 4(a)(vi); 4(b)(v) and 4(c)(v) of Part 2 of Schedule 22 respectively). In the most recent version of the draft DCO the Applicant has proposed drafting to clarify that where the Applicant proposes to elect to pay a financial contribution towards the establishment of compensation measures by another party or to collaborate with another party to deliver compensation, that same requirement to establish monitoring, reporting, success criteria and the trigger for alternative compensation or adaptive management would apply (See for example dDCO, Document 3.1, Version 7 paragraph 4(e)(ii) and 4(f)(ii) respectively of Part 2 of Schedule 22 in relation to the amendments inserted in respect of guillemot compensation (and which has been repeated for other species)). The only circumstance therefore where a clear mechanism for monitoring and adaptive management would not apply therefore is where the Applicant instead agrees to pay into the Marine Recovery Fund – and responsibility for delivery of appropriate compensation is thereby transferred to the relevant Government delivery body. The legislation, guidance and policy around the MRF and strategic compensation continue to evolve. The drafting of the compensation provisions in Schedule 22 of the draft DCO (3.1) is intended to retain flexibility to account for future evolutions in the strategic compensation framework. If more precise detail relating to monitoring and adaptive management was included in the draft DCO, this could unintentionally restrict the Applicant's ability to rely on the MRF if the proposals as drafted conflicted with the operation of the broader strategic plan. The guillemot compensation plan [Document 7.7.2, Version 2] is therefore an important document in that it sets out, in broad terms, what compensation the project will be expected to deliver and in establishing the acceptability of the options to deliver that compensation. It is important therefore that the guillemot compensation plan continues to be updated as required to reflect compensation anticipated to be required and that ultimately the document is updated to reflect the final position of the Secretary of State when making a decision on the Application. It is also considered to be appropriate and necessary that sufficient flexibility is retained in the compensation mechanism to allow (i) one of the identified measures to deliver the full compensation requirement or for there to be a contribution from more than one of the approved measures, collectively delivering the full requirement; and (ii) for success to be monitored and a sufficiently flexible mechanism agreed to allow for adaptive management proposals and approvals to be based on the most appropriate option at that time. To seek to prescribe the list or order of application of adaptive management measures is considered to be unnecessarily limiting and could be counter productive in achieving the optimum ecological outcomes. For example if a measure is taken forward and is considered not to be working to optimum levels due to an unexpected reaction to

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			a particular feature of the design, the most appropriate form of adaptive management may be to change that design. On the other hand where a measure cannot easily be retrofitted in a way which addresses the under delivery of compensation, it may be appropriate to bring forward one of the other compensation options to supplement that measure. There are a number of different possible permutations and decisions on which is optimal are considered by the Applicant to be best taken in the future when success and importantly reasons for limited success can be monitored and fully understood, in light of the rapidly evolving understanding and best practice for the delivery, monitoring and adaptive management of compensation measures. It is considered that the DCO schedule appropriately secures the delivery of required compensation and establishes a clear framework for the respective CIMPs to secure, monitor and deliver adaptive management as required.
Q2 HRA 2.7	The Applicant	**Additional measures in the Without Prejudice Guillemot and Razorbill Compensation Strategies** In response to ExQ1 HRA 2.9 and HRA 2.10 the applicant has stated in [REP2-051] that: "Compensation potential has been calculated using published regional productivity rates (Horswill and Robinson 2015) as 'expected productivity' and recent historic peak counts as a proxy for maximum colony size. The potential for compensation is the difference between the outputs of the colony at the maximum size with the expected productivity, compared to the current outputs." The Applicant is requested to either submit these calculations into the examination, or if these have already been provided to and agreed with NE, to provide evidence of such agreement	The Applicant provided the compensation potential for each of the proposed sites proposed for inclusion within the Additional Measures for Compensation of Guillemot and Razorbill, within the Guillemot and Razorbill Compensation Quanta document (REP3-049). An updated version of the Additional Measures for Compensation of Guillemot and Razorbill which includes further information on the relevant sites and the specific proposed measures for each site has been provided at Deadline 4 (document reference 7.7.6).
Q2 HRA 2.8	The Applicant	**Calculations on compensation requirements for kittiwake** In its deadline 3 submission Appendix G1 [REP3-071] NE has set out its reasoning for its preference for the use of the 'Hornsea 3, stage 2' calculation method for calculating the compensation requirement for kittiwake of the FFC SPA. The ExA is aware of the applicant's stated preference for applying the 'Hornsea Four' method, however, please comment on the argument that has been put forward by NE in this regard.	The Applicant has highlighted specific concerns with the Hornsea Three part 2 methodology within previous submissions, specifically REP2-057 Levels of precaution in the assessment and REP3-049 Guillemot and Razorbill Compensation Quanta. The Applicant has responded to Natural England's reasoning for its preference for the use of the Hornsea Three part 2 method within document reference 21.3 submitted at Deadline 4 (response to Appendix G1 to Deadline 3 submission). In summary, the Applicant's position is that the Hornsea Three part 2 method relies on a range of assumptions for which there is no evidence. For example, the method assumes that all birds required to address natural wastage from the measure would come from the FFC SPA; this does not account for 'floating adults' (those not associated with specific colonies), the nearby and substantial population of offshore breeders that are much more likely to contribute to repopulation of an ANS than birds from FFC SPA, and also the cohort of immature birds that reach maturity each year and which will recruit to a colony. The Hornsea Three part 2 method also assumes that, in the event of birds recruiting to the measure from the FFC SPA, the resultant gaps in the FFC SPA colony would not be addressed through natural recruitment from the sources set out in the preceding sentence. It is accepted that kittiwake colonies, including the FFC SPA, are maintained through immigration (due to measured productivity rates at colonies not being high

Question ID	Question addressed to	Question	Response
			enough to sustain the colonies), therefore it should also be accepted that this same process would address any gaps at the FFC SPA that result from any movement of birds to the measure (for which there is an absence of evidence). The Hornsea 3 part 2 method only considers theoretical losses from the FFC SPA to the measure and ignores natural inter-colony movement (i.e. including replacement of any individuals which leave from other colonies); the method consequently does not account for any gains due to the naturally occurring dispersal of birds, nor that from the recruitment of first-year breeders. Effectively, the Hornsea Three part 2 method artificially penalises the Applicant such that natural aspects of the birds' behaviour, i.e. movement between colonies, are included as part of compensation calculations, when these should rather be considered neutral in respect of changes in established colony sizes (specifically that any losses are offset by gains from elsewhere).
Q2 HRA 2.9	The Applicant	**The application of a modified Hornsea Four compensation requirement calculation method for razorbill and guillemot** In its deadline 3 submission Appendix G1 [REP3-071] NE has set out its reasoning for its preference for the use of the 'Hornsea 3, Stage 2' calculation method for calculating the compensation requirement for guillemot and razorbill of the FFC SPA and the applicant has reported on this matter in its Guillemot and Razorbill Compensation Quanta [REP3-049]. The ExA is aware of the applicant's views on the compensation requirement calculations as, for example, expressed in the Guillemot and Razorbill Compensation Quanta [REP3-049]. The ExA notes that NE has put forward the argument in Appendix G1 Natural England's Advice on Seabird Compensation Calculations [REP3-071] that: " Where it is not possible to adequately populate the Hornsea 3 stage 2 method due to limited demographic information regarding the species under consideration, the Hornsea 4 method could be used, provided that the calculations are updated using philopatry data to account for the need for the colony to sustain itself." The Applicant is requested to comment on this and to provide, on a 'without prejudice' basis, a calculation for the compensation requirement quanta for guillemot and razorbill of the FFC SPA based on this modified Hornsea Four approach to allow for a comparison with the 'standard' Hornsea Four approach that has been set out in [REP3-049].	The Applicant has responded to Natural England's reasoning for its preference for the use of the Hornsea Three part 2 method within document reference 21.3 submitted at Deadline 4 (response to Appendix G1 to Deadline 3 submission). The Applicant strongly maintains their position that the use of the 'standard' Hornsea 4 method to calculate compensation requirements is appropriate, with a lack of evidence supporting the assumptions made within the Hornsea Three part 2 method. Regarding the point on limited demographic information, the Applicant considers that all of the demographic information required to undertake compensation calculations using the Hornsea Three Stage 2 method is available for the species under consideration. The Applicant has therefore supplied compensation quanta using both the Hornsea Four and the Hornsea Three part 2 method within the Guillemot and Razorbill Compensation Quanta (REP3-049) submitted at Deadline 3 and within the updated Compensation Plans submitted at Deadline 4 (document reference 7.7.2 and 7.7.3). In accordance with Natural England's argument, there should therefore be no requirement to provide compensation calculations using the Hornsea 4 method updated using philopatry data. This said, as requested by the ExA, the Applicant has presented, on a without prejudice basis, the potential compensation requirements utilising the 'modified Hornsea Four' method, i.e. the Hornsea Four method with additional consideration of philopatry, in Table 4 of Annex 1 of this document for both the Applicant and Natural England's impact values. In either case, the Applicant considers the inclusion of philopatry to be inappropriate as discussed in the Applicant's response to Q2 HRA 2.8.

2.11 Historic Environment

Table 2.11: Historic Environment

Question ID	Question addressed to	Question	Response
Q2 HE 1.1	The applicant	**Archaeological Surveys** Confirm the extent of trial trenching that has taken place to date and whether you are confident that the extent of additional survey work including arial photography and trial trenching will meet the Lincolnshire County Council (LCC) target of 2% of the site with a 2% contingency mentioned in Issue Specific Hearing 3 (ISH3) and noted in LCC Post-hearing submissions including written summaries of oral case at ISH1 and ISH3 [REP3-057].	To date 158 trial trenches, measuring 30m long x 1.8m wide, have been undertaken. The Applicant intends to undertake another phase of trial trenching which is planned to commence in April 2025 prior to any forthcoming consent. A Written Scheme of Investigation (WSI) for this further trenching will be submitted for approval by the Historic Environment Officer at LCC prior to any works commencing. These further trial trenches, together with the trial trenches undertaken to date and trenches planned for 2026 which will also be shown within the WSI, will inform the detailed design of archaeological mitigation set out within the Outline Onshore Written Scheme of Investigation for Archaeological Works (OWSI) (document 8.9, version 4), and inform the submission of the construction phase WSIs under Requirement 17 of the DCO. The 158 trial trenches undertaken to date, have included trial trenches at both locations within the Order Limits that cannot accommodate preservation in situ at the detailed design stage; the OnSS and the TJBs. The number of trial trenches undertaken at each of these locations to date has varied in terms of %s. At the TJBs 2% trial trenching has been undertaken. At the OnSS 0.4% trial trenching has been undertaken (alongside additional test pits and geoarchaeological boreholes). This variable % is reflective of the strategy which the Applicant will propose within the forthcoming WSI to be agreed with LCC and which the Applicant considers should recognise the relative potential of different parts of the Order Limits, primarily in respect to historic coastlines/marginality. It is anticipated that the 2% target requested by LCC in the first instance should be restricted to the parts of the Order Limits which have been dry or outside of marginal areas/ tidal zones at any point up to and including the medieval period. The historically marginal/tidal parts of the Order Limits will be proposed at a lower %, albeit a 2% contingency would apply to all areas such that any inadequacy of a less than 2% strategy highlighted by rolling results would be remedied if required with the approval of LCC. With regards to aerial photography, as set out in previous written responses (PD1-071 RR-004.022) and at the hearing (ISH3) and summarised in the Applicant's Written Summary of oral case put at the Issue Specific Hearing 3 held on 5 December 2024 (REP3-051), full aerial photographic assessment is not considered to be necessary. As reiterated in The Applicant's Response to Written Summaries of Oral Cases at ISH3 (document reference 21.6) the reasons full aerial photographic assessment survey was not considered

Question ID	Question addressed to	Question	Response
			necessary are documented within the ES submission (APP-180 section 20.3.1.5) and it is asserted that the best complimentary techniques alongside the magnetometer geophysical survey are the LiDAR assessment (undertaken in full), deposit modelling (undertaken in full) and the electromagnetic geophysical survey (undertaken as guided by deposit modelling). These provide a bespoke set of baseline techniques most appropriate to the depositional environment of the Order Limits
Q2 HE 1.2	The applicant Lincolnshire County Council (LCC) Historic England (HE)	**Requirement 17 and Onshore Outline Written Scheme of Investigation (OWSI) for Archaeological Works** Further to satisfying Issue Specific Hearing 3 (ISH3) Action Point 4 [EV7-010], where disagreement remains, all parties to set out their preferred wording of Requirement 17 with reasons. Furthermore, all parties to provide a detailed update on the OWSI, including any outstanding disagreements on the contents and the likelihood of these being resolved within the timescales of the examination.	Subsequent to a meeting held with LCC and HE on the 10th of January 2025, no amendments to Requirement 17 are proposed. Rather, an amendment has been proposed within the OWSI at section 9.2, paragraph 74, at the request of LCC and HE. This amendment seeks to cross reference this part of the OWSI with Requirement 17 in specific regard to trial trenching. This approach has been agreed with LCC and Historic England and no update to Requirement 17 is required. In consultation with LCC the Applicant has made further amendments throughout the OWSI (paragraphs 85, 90, 98) to ensure that references to preconstruction archaeological investigation are cross-referred back to paragraph 74 and the reference to Requirement 17 of the draft DCO. The changes to paragraphs 74, 85, 90 and 98 result in there being no requirement by LCC or HE to amend the wording of Requirement 17 of the draft DCO. No further updates to the OWSI are proposed, with the Applicant drawing the Examiner's attention to The Applicant's Comments on LCC's Summary of Oral Representations for ISH3. With regard to preservation in situ in the current version of the OWSI (document reference 8.9 version 3) addresses LCCs concerns with additional text inserted to provide clarification on preservation in situ measures.
Q2 HE 1.3	Lincolnshire County Council (LCC) Historic England (HE)	**Grouping of non-designated farmhouses** In its relevant representation [RR-004] and Local Impact Report [REP1-053] LCC requests that the impact on non-designated farmsteads is set out in greater detail for each asset rather than in groups. The applicant's response to the relevant representation [PD1-071] states: "Historic England's Good Practice Advice Planning Note 3 (The Setting of Heritage Assets) references that assessment of impact through setting change needs to be proportionate to the significance of the heritage asset and proportionate to the degree of change. The grouping of non-designated farmhouses within the vicinity of the cable route, reflects the grouping of assets of low importance where potential impacts will be temporary. This level of assessment is in accordance with best practice and avoids unnecessary repetition. It is not anticipated that differential proximity to the cable route would alter conclusions around the potential harm through setting change. In no instance would it be anticipated that farmhouses within the vicinity of the cable route would experience an impact of greater than minor adverse effect. There is no potential for significant effects. The assessment of farmhouses within the vicinity of the cable route is considered	

Question ID	Question addressed to	Question	Response
		sufficient on these grounds.” • In light of this response, do HE and LCC consider that the grouping of non-designated farmsteads for assessment provides sufficient information for the Secretary of State to have confidence on the effects on the significance of individual heritage assets when these have not been assessed individually? If not, why not? If not, please set out what you would require to satisfy yourselves within the timescales of the examination.	
Q2 HE 1.4	East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	**Middlecott Almshouses** In light of [RR-084] Anthony Kindred and [RR-085] Lisa Kindred and the Applicant’s response to Relevant Representations [PD1-071], Historic England [REP2-068] and Lincolnshire County Council's responses to ExQ1 [REP2-069] and the applicant's comments on ExQ1 responses [REP3-054] clarify, with reasons, whether you consider the applicant’s conclusions in relation to the impact of vibration, noise and dust upon Middlecott Almshouses and its approach to the Noise and Vibration Management Plan (NVMP) to be satisfactory.	

2.12 Land Use

Table 2.12: Land Use

Question ID	Question addressed to	Question	Response
Q2 LU 1.1	The applicant T.H. Clements & Son Ltd	**Onshore Export Cable Corridor (ECC) alternatives - Agricultural Land Classification (ALC)** In response to ExQ1 LU 1.2 [REP2-051], the applicant provided appendix 1.14 which provides a plan of route options and a table of predicted ALC grades. In addition, the weighting of the options is also presented in response to matters raised in T.H. Clements & Son Ltd’s Relevant Representation [RR-067]. • Can the applicant clarify why table 1.14 shows both option 2a and option 2A? • T.H. Clements & Son Ltd is invited to respond to the information presented by the applicant.	The Applicant wishes to apologise to the examining authority for the confusion caused by this labelling errors that was not captured prior to submission. To rectify this error the applicant has re-labelled all routes on the map and table to provide further clarity and reduce confusion. Revised versions of Figure 1.14 Q1 LU 1.2 and Table 1.14 Q1 LU 1.2 are provided in Appendix 2.12.
Q2 LU 1.2	Natural England (NE) Lincolnshire County Council (LCC)	**Agricultural Land Classification (ALC) survey** The applicant’s response to ExQ1 LU 1.7 [REP2-051], identifies examples of other Nationally Significant Infrastructure Projects (NSIPs) being approved by the Secretary of State (SoS) prior to ALC surveys being undertaken. In the case of the Hornsea Four Offshore Wind Farm, the applicant also points to the advice given by NE at the time which, whilst expressing a preference for pre-consent ALC surveys, accepted that the matter could be addressed via a planning condition. NE and LCC are invited to comment on whether the approach taken on other NSIPs in terms of the timing of ALC surveys has any implications for their respective positions on this matter.	

Question ID	Question addressed to	Question	Response
Q2 LU 1.3	T.H. Clements & Son Ltd	**ECC "working width" during construction** Please provide comments on the applicant's Clarification Note: Land Take, Soil calculation and Storage Bunds [REP3-056].	
Q2 LU 1.4	The applicant Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis	**Severance of agricultural land during construction** In response to ExQ1 LU 1.5 [REP2-051], the applicant provided further clarification in relation to its approach to severed land. This includes proposals as set out in Section 5.14 of the Outline Code of Construction Practice (oCoCP) [REP3-021] for the production of management plans for individual affected persons following liaison with them. The matter was also discussed at Issue Specific Hearing 3 on 5 December 2024. The ExA understands that T. H. Clements [REP3-060] intends to liaise with the applicant on the wording of the oCoCP to address its outstanding concerns **To Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis**: • Please provide comments on the applicant's proposed approach to working with affected persons to identify and manage severed land. Concerns are raised by T. H. Clements regarding the implications of the potential scenario whereby agreement is not reached between the applicant and affected persons as envisaged in section 5.14 of the oCoCP [REP3-065]. However, the ExA also notes that section 5.14 states that the applicant "will liaise with landowners and tenants to agree a management plan…" amongst other apparent commitments to reach agreement. **To the applicant:** • Does section 5.14 of the oCoCP provide a commitment for the applicant to agree areas of severed land, related management plans and access arrangements? If so, should this commitment be made clearer in the oCoCP and/or the draft Development Consent Order (dDCO) [REP3-006]? If not, what mechanism is in place to resolve disagreements, should they arise?	The Applicant considers that Section 5.14 the oCoCP provides a commitment for the Applicant to seek to agree areas of severed land, as it states that the Applicant "will liaise with landowners and tenants to mutually agree areas that are not practical to farm due to restrictions on size and shape." It is acknowledged by the Applicant that a dispute resolution process in the event that agreement could not be reached would be useful in ensuring the matter is determined. The Applicant received comments on the oCoCP from TH Clements, and one such comment suggested a dispute resolution mechanism in this section. As such, the Applicant has updated the oCoCP to state that in the event of a dispute over severed land, the matter will be referred for expert determination.
Q2 LU 1.5	The applicant Natural England (NE)	**Peat identification and management** The ExA notes that the applicant accepts that the information provided by NE in response to ExQ1 LU 1.9 "may indicate that peat may be present in the area of the Order Limits ECC Section 6 crossing into Section 7" but that the presence of peat would be confirmed in the preconstruction soil surveys [REP3-054]. In response to NE's ExQ1 LU 1.9 submission, the applicant states that if peat is identified, mitigation measures be included within the final SMP or a separate Peat Management Plan, if required. In its own response to ExQ1 LU 1.9 [REP2-051], the applicant also refers to the oCoCP being updated to include a commitment for a peat management plan should peat be identified, post consent. However, as peat	A commitment to produce a Peat Management Plan in the event peat is identified post consent has been included within the Code of Construction Practice submitted at this deadline (document reference 8.1 version 5).

Question ID	Question addressed to	Question	Response
		is not mentioned at all in the current oCoCP [REP3-021], outline Soil Management Plan (oSMP) [REP3-023] or dDCO [REP3-007], it is not clear how the commitment to provide mitigation, if necessary, is secured. Should the oCoCP, dDCO and/or the oSMP be updated now to ensure that mitigation is secured, should the need arise? If not, why not?	
Q2 LU 1.6	The applicant T. H. Clements & Son Ltd Interested Parties (IPs) represented by Brown & Co Property and Business Consultants LLP	**Dust contamination** The ExA notes from the applicant's response to T.H. Clements & Son Ltd Written Representation [REP3-038] that a meeting was scheduled to take place on 8 January 2025 to discuss respective positions in relation to dust dispersion as well as other matters. **To the applicant and T.H. Clements & Son Ltd** **:** • Please provide an update on discussions between the two parties in relation to the dust dispersion modelling [REP1-050]. This should clearly identify matters upon which there is agreement or disagreement in terms of methodology and outcomes. Where disagreement is identified, please specify if this is likely to remain at the close of the examination or if further action is being pursued to resolve the matter. **To IPs represented by Brown & Co Property and Business Consultants LLP:** • Please confirm if you have any further comments to make on dust contamination further to matters raised in respective relevant representations.	The Applicant has not reached a mutually agreeable position with T.H. Clements regarding their construction dust modelling report [REP1-050]. The Applicant conducted a qualitative construction dust assessment [AS1-046] using the latest (2024) guidance from the Institute of Air Quality Management (IAQM). This guidance is widely recognised as the standard for linear onshore Nationally Significant Infrastructure Projects (NSIPs) traversing farmland. This guidance is based on the principle that dust can be effectively managed through targeted mitigation, ensuring residual effects are not significant upon implementation. The IAQM framework inherently considers dust soiling impacts on sensitive farmland, and the Applicant has assigned the maximum level of dust risk and protection. Accordingly, the full suite of best practice controls prescribed by the IAQM was recommended, with 50 specific controls included in the Outline Air Quality Management Plan [APP-270]. These measures will be further refined as the detailed design progresses and once a Principal Contractor is appointed. However, T.H. Clements' conducted a quantitative assessment using dispersion modelling, estimating that approximately 100 hectares of farmland would still be adversely affected by dust despite mitigation [REP3-060]. The Applicant's analysis suggests this would require residual dust impacts to extend beyond 150m from the Order Limits - a scenario considered highly unusual in the UK, given the comprehensive mitigation measures proposed. Moreover, the construction techniques outlined by the Applicant are consistent with those successfully agreed for other NSIPs traversing agricultural land. A detailed report addressing the dust deposition study has been prepared encapsulating the areas of disagreement. A version of this report has been shared with T.H. Clements. In summary, the Applicant finds the dust modelling assessment [REP1-050] overly pessimistic and unreliable given that: • The modelling study relies on dust emission factors from coal and metalliferous mines in USA and Australia, which are unvalidated for the UK climate. The IAQM explicitly advises against using these factors in dispersion modelling, describing it as inappropriate. Furthermore, mining emission factors are unrepresentative of construction dust characteristics. • There are critical issues associated with the modelling parametrisation:

Question ID	Question addressed to	Question	Response
			o Lack of model validation; o Misrepresentation of the project description (e.g., assuming surface excavation across HDD locations, which account for 20% of the study area); o Flawed emission calculations, with emissions overestimated by 20–80 times compared to validated defaults in Australia and the USA; o Inappropriate wind erosion modelling. While refinements and justifications may be offered, the Applicant maintains the IAQM's position is clear: using non-UK mining dust emission factors to model dust impacts in this context is inappropriate. Given these fundamental issues, the Applicant considers that the T.H. Clements' modelling assessment [REP1-050] does not provide a reliable basis for evaluating construction dust impacts. In contrast, the Applicant's assessment follows an industry-established framework, successfully applied to similar NSIPs, which fully accounts for dust impacts on commercial farmland. Accordingly, the Applicant's assessment should be preferred, as its conclusions are robust and aligned with best practice.
Q2 LU 1.7	The applicant	**Soil restoration** Section 5.10 of the oSMP [REP3-023] identifies that a main objective for reinstatement of the land will be to "…restore it to its pre-development quality as far as is reasonably practicable, as determined by the information obtained from the pre-construction soils survey…", However, it does not explicitly commit to restoring land to the current ALC grade along the onshore Export Cable Corridor (ECC) and the 400KV Cable Corridor following construction. Please confirm if the oSMP is intended to commit to restoring land to the current ALC grade along the onshore Export Cable Corridor (ECC) and the 400KV Cable Corridor. If so, please update the oSMP to make this clear. If not, why not?	The Applicant has not included the commitment to restore land to the current Agricultural Land Classification (ALC) grade due to: 1. the potential for changes in the guidelines for ALC determination. If the criteria or methodology for assessing agricultural land quality are updated or climate datasets are updated, commitments based on the current guidelines (MAFF 1988 guidance) might become outdated or insufficient. 2. the variance in quality with a land grade as outlined by Affected Parties. Affected parties were concerned that a reference to simply restore to the same land grade could, in some instances, lead the land being reinstated to a worse condition than before but still within the same grade. The Applicant has therefore committed to soil reinstatement methods that will be designed to achieve soil profiles as close to the original (pre-construction) as possible and land will be reinstated as soon as reasonably practical after completion of the construction works. These methods will be determined using the pre-construction soil survey records which will include, but will not be limited to, the ALC survey reports undertaken to the current guidelines. In reinstating to the original soil conditions the land should therefore also be returning to its original ALC grade and the Applicant believes that the commitment made in the oSMP exceeds just a commitment to restore land to an ALC grade.
Q2 LU 1.8	The applicant T.H. Clements & Son Ltd	**Cable burial depth and potential implications** The ExA notes the engagement between the two parties since Issue Specific Hearing 3 [REP3- 038]. This includes a review of relevant drafting of restrictive covenant wording to give the consent the same that is being offered in voluntary agreements	The Applicant and TH Clements have reached agreement with regard to cable burial depth. The minimum cable burial depth is to remain at 1.25m. However, the cables will, where practicable, be laid 300mm below existing land drainage schemes as outlined in the oCoCP [document 8.1, version 5]

Question ID	Question addressed to	Question	Response
		with the potential for subsequent revisions to the dDCO. The ExA is due to issue its preferred dDCO, proposed schedule of changes, or commentary on the dDCO (if required) on 17 February 2025. **To the applicant and T.H. Clements & Son Ltd:** • Please provide an update on any discussions regarding cable burial depth clearly identifying matters upon which there is agreement or outstanding disagreement between the two parties. • If available, please provide suggested revisions to the dDCO. **To the applicant:** • Provide an update on any discussions with other IPs on this matter.	The Applicant has reviewed TH Clements' Comments on the Applicant's update to the draft DCO [REP3-063] alongside TH Clements' reasoning for those amendments set out in TH Clements' Post-hearing submissions including written summaries of oral case at ISH 1 [REP3-059]. TH Clements has proposed amendments to restrictive covenant wording in Schedule 7 of the draft DCO [Document 3.1, version 7. The Applicant has updated the restrictive covenant wording in Schedule 7 of the draft DCO [Document 3.1, version 7] to include the majority of the proposed drafting. Where the proposed drafting has not been agreed, the Applicant's reasoning is set out in Table 1.3 of the Applicant's Comments on ISH1 Summaries [document 21.4]. There were 28 Relevant Representations submitted which referenced cable burial depth as an issue. When reviewing the status of the voluntary agreements, out of the 28 that submitted representation with regard to cable burial depth, the Applicant can confirm the following: i) 3 representations were general representations made by agents who have then either submitted specific landowner/occupier representations or have been party to the any discussions around cable burial depth at LIG meetings. ii) 3 representations were made by occupiers of land in respect of which the landowners have signed up to voluntary agreements. iii) 9 parties making representations have signed Heads of Terms and engrossments of voluntary agreements (allowing for a cable burial depth of 1.25 metres) have been issued for signature iv) 11 parties making representations have signed or exchanged voluntary agreements (allowing for a cable burial depth of 1.25 metre) v) TH Clements made a representation regarding cable depth and the Applicant is still in negotiation and actively engaging with TH Clements to seek a mutually agreeable position on a number of matters; . vi) 1 party who made a representation has refused to sign the Heads of Terms but this is due to an alternative reason and not due to concerns over the cable burial depth. As a result of the above, the Applicant is therefore of the opinion that the cable burial depth is no longer an area of concern.
Q2 LU 1.9	Lincolnshire County Council (LCC) T.H. Clements & Son Ltd IPs represented by Fraser Dawbarns LLP IPs represented by Brown & Co Property and Business Consultants LLP	**Agricultural drainage and irrigation** In response to ExQ1 LU 1.18 [REP2-051], at deadline 3, the applicant updated section 5.15 (Agricultural Drainage and Irrigation) of the oCoCP [REP3-021] to detail arrangements for consultation with landowners regarding pre-construction and post-construction drainage works. The document also now states that "The cable shall be installed 300mm below any current drainage system where practical". Does the revised oCoCP address outstanding concerns regarding drainage as identified in respective relevant representations? If not, please specify further measures that should be included.	

<table>
<tr><th>Question ID</th><th>Question addressed to</th><th>Question</th><th>Response</th></tr>
<tr><td></td><td>IPs represented by Hub Rural Ltd Fred Grant Co Savills (UK) Limited
William Barker
Woodlands Farm (Kirton) Ltd</td><td></td><td></td></tr>
<tr><td>Q2 LU 1.10</td><td>The applicant
Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis
A E Lenton Ltd
Christopher William Edwards & Jane Edwards & John Frank Edwards & Robert John Edwards
George Henry Danby & John Arthur Danby</td><td>Outline Organic Land Protocol (oOLP)

The ExA notes the content of the oOLP [REP3-024] as well as feedback on a draft of the document from Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis [REP2-087].

To the applicant:
• Please clarify the extent to which the applicant considers it has addressed feedback on the draft oOLP from Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis as well as any feedback from other Affected Persons. If the applicant has chosen not to incorporate feedback, please provide reasoning.

To Woodlands Farm (Kirton) Ltd and Andrew Peter Dennis and other affected persons:
• Please provide comments on the oOLP as submitted by the applicant at deadline 3 [REP3- 024] detailing any suggested amendments with supporting justification.</td><td>The Applicant has proactively engaged with organic landowners. The Outline Organic Land Protocol [REP3-024] has been drafted in conjunction with organic farms impacted by the Applicants proposals and has been approved by 3 of the 4 organic farms, affected by the Applicants proposals., with final sign off awaited from Woodlands Farm (Kirton) Ltd.

For completeness the table below outlines the final comments received from organic farms regarding the Outline Organic Land Protocol and a breakdown of the points incorporated into the draft Protocol:

<table>
<tr><th>Request</th><th>Accepted/not accepted</th></tr>
<tr><td>Specialist to carry out soil surveys before construction</td><td>Accepted – included in para 16 of the oSMP and para 21 of the oOLP</td></tr>
<tr><td>Mutually agree sign off of reinstatement and signing off of any aftercare programme not an ALO as they are not independent.</td><td>Not accepted – The oSMP outlines the process for sign off and aftercare programme. Sign off is when the soil conditions match the pre-construction surveys so is scientifically driven.</td></tr>
<tr><td>Survey access protocol includes measures specific to plant and machinery and vehicles, and personnel</td><td>Accepted – included in para 30 and 31 of the oOLP</td></tr>
<tr><td>Management of soil bunds to include sheeting not just a seeded.</td><td>Accepted – included in para 39 of the oOLP</td></tr>
<tr><td>Need to consider the management of sterile areas as these will need to be topped not sprayed.</td><td>Accepted – included in para 41 of the oOLP and para 105 of the oCoCP.</td></tr>
<tr><td>If an organic clover seed mix cannot be sourced by ODOW, then LO should have the option to source a seed at the developer’s expense.</td><td>Accepted – included in para 50 of the oOLP</td></tr>
<tr><td>When bunds are seeded they will need to be maintained by flailing/ grass cutting but this is not mentioned in the dOLP</td><td>Accepted- included in para 41 of the oOLP</td></tr>
<tr><td>Use clean water rather than disinfectants</td><td>Accepted – included in para 33 of the oOLP</td></tr>
</table>
</td></tr>
</table>

Question ID	Question addressed to	Question	Response	
			Need to see a draft access protocol	Accepted – included as appendix 3 and 4 of the oOLP
			Sharing of records in a timely manner with landowners for audits by their organic accreditation body	Accepted – included in para 34 of the oOLP
			How will weed burden be dealt with?	Accepted – included in para 40 and 41 of the oOLP
			How will soil restoration be signed off? How will there be independence in this process?	Accepted – included in para 42-49 of the oOLP
			How will soil restoration be undertaken in practice	Not Accepted –Not suitable for inclusion at this stage as there aren't details on construction methodology etc at this time. Details of soil restoration will be included in the final OSMP via location specific method statements
			A requirement for on-going soil assessment as organic land returns to production	Accepted – included in para 42-79 of the oOLP and section 1.27 of the oSMP
			The potential recovery period for the land before normal cropping rotations can resume and the requirement to establish a cover crop.	Accepted - The Aftercare Programme (as outlined in section 1.27 of the oSMP) will agree the recovery period and cropping strategy although this cannot be agreed at this stage which was part of the request.
			Soil assessment to include a holistic approach to include trial digs to check the soil at rooting depth.	Accepted – ALC testing (as outline din section 1.8 of the oSMP is carried out to a depth of 1.2m
			Roles and Responsibilities of the ALO and the Scow need to be clear	Accepted – included in para 17 and 18 of the oOLP
			Haul road use between organic land and conventional land	Accepted – included in table 2 of the oOLP
Q2 LU 1.11	The applicant Lincolnshire County Council (LCC) East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	**Relationship between the oCoCP, oSMP, oOLP and dDCO** Requirement 18 of the dDCO [REP3-007] makes provision for the preparation of the Code of Construction Practice (CoCP) that must be substantially in accordance with the oCoCP [REP3- 021]. It must be submitted to and approved by the relevant local planning authority following consultation with named bodies, including LCC, the Environment Agency (EA) and the relevant statutory nature conservation body. It must include an Organic Land Protocol. Following revisions made by the applicant, requirement 31 now separately secures the preparation of the SMP to be approved by the relevant local planning authority following consultation with LCC only. The ExA understands that the applicant's intention is that the SMP will no longer form	The reference to a soil management plan (SMP) was removed from Requirement 18 (Code of construction practice) at the request of LCC. In appendix 3 to its Local Impact Report (REP1-053) in the table of Draft Development Consent Order Comments, LCC sought the removal of the SMP from Requirement 18, and the inclusion of a standalone SMP requirement as a new Requirement 31. In its responses to LCC's Local Impact report (REP2-052), the Applicant confirmed that it was happy to remove the reference to a SMP from Requirement 18 (Code of construction practice) and instead secure the submission of a SMP by a standalone Requirement 31 (Soil management plan). The Applicant made this change as, following discussions with LCC, it was clear that LCC felt that the SMP should be secured by a standalone requirement, and the Applicant considered that the	

Question ID	Question addressed to	Question	Response
		part of the CoCP as originally proposed. However, the oCoCP appears to contradict this, including reference to the SMP within table 1.1 of the oCoCP. The ExA also notes comments from NE [REP3-066] and the EA [REP3-064] requesting amendments to the dDCO to ensure that they are consulted prior to approval of the SMP. **To the applicant:** • Given the inter-relationship between the oSMP and oOLP, please explain the rationale behind the separate requirements and associated consultees for the approval of the SMP and OLP. • Submit revisions to the documents, as appropriate, to provide clarity and consistency. **To LCC and the local planning authorities:** • Please provide comments on the above as necessary.	practical outcome, being the submission and approval of a SMP that accorded with the Outline SMP (oSMP), would remain the same. The Applicant notes that there is a contradiction between Requirement 18 and the Outline CoCP (oCoCP) due to the reference in the oCoCP Table 1.1 to the oSMP. The Applicant has updated the oCoCP (document 8.1, version 5) at Deadline 4 to remove this inconsistency in order to ensure that the SMP is not tied to the CoCP and is a standalone plan, as per the requirements. The Applicant has also updated Requirement 31 of the draft DCO (document 3.1, version 7) to include NE and the EA as consultees in respect of the SMP. However, should the ExA be of the view that given the inter-relationship between the oSMP and oOLP, it would be more appropriate for the soil management plan to be reinstated as part of requirement 18, the Applicant would have no objection to that approach.
Q2 LU 1.12	Environment Agency (EA) Lincolnshire County Council (LCC)	**Climate change, increased rainfall and soil impacts** At Issue Specific Hearing 3 [REP3-051], the ExA sought clarification from the applicant regarding the possible effects of increased peak rain fall intensity due to climate change on earth movement and subsidence. In response the applicant has provided a clarification note regarding Climate Change, Increased Rainfall & Soil Impacts [REP3-055]. Please provide comments on the assumptions and conclusions made in the clarification note.	

2.13 Landscape and Visual Effects

Table 2.13: Landscape and Visual Effects

Question ID	Question addressed to	Question	Response
Q2 LV 1.1	The applicant Lincolnshire County Council (LCC)	**Landscape mitigation during the construction phase** The applicant's mid examination principal issues progress tracker [REP3-052] states that "the applicant has updated the Outline Code of Construction Practice (CoCP) for Deadline 3, to include mitigation measures that could be applied in respect of the small number of residential properties with potential to be affected." The ExA notes paragraph 46 of the CoCP deals with temporary construction compounds, however, this is not highlighted as a change in the tracked document [REP3-021]. **To the applicant:** • Confirm the updated mitigation measures and highlight any errors in the tracked document [REP3-021].	The Applicant updated the OCoCP at Deadline 3 (REP3-021) at paragraph 46, to include mitigation measures that could be applied in respect of the small number of residential properties with potential to be affected. This text stated that: "*The layout of each TCC will be designed post consent and will look to further minimise the environmental and social effects of the compounds in the following ways.* ▪ *Where the dimensions of the TCC's final layout is less than the worst case scenario assessed in the ES, the reduction will be used to increase the separation distance from visual receptors, such as residents, walkers, horse riders and road-users, where practicable;*

Question ID	Question addressed to	Question	Response
		To LCC: • Provide comment on the mitigation outlined in paragraph 46 of the CoCP [REP3-021].	▪ *The spatial arrangement of the TCCs will be designed to reduce the visual influence of the larger and bulkier components through increasing separation distances, locating them outwith principal views from properties and using the screening effect of existing roadside or field boundary vegetation where available; and* ▪ *Where agreed by landowners, residents, LCC, and the LPA, seeded soil bunds or solid fencing (e.g. hoarding or other) will be used to create temporary screens for residents overlooking a TCC*". The Applicant apologises for the error in not including this addition as tracked text in REP3-021. This has however, been shown in highlighted text in the OCoCP, submitted at Deadline 4 (Document 8.1, Version 5), now shown as paragraph 45.
Q2 LV 1.2	The applicant	**Landscape impact of construction traffic** Respond in detail to each aspect of LCC concerns raised in response to Q1LV1.2 [REP2-069] including the soft verge character of the relatively narrow network of roads; the landscape impact of large vehicle movements on the local road network and wider highways work.	The Applicant has addressed below each of the issues raised within LCC's response to ExAQ1 LV1.2 (REP2-069): 4. **It is the councils view that the scale and frequency of construction vehicle movement have not been fully assessed**. a. It is the view of the Applicant that the number and frequency of vehicle movements (including both smaller cars and vans, and larger HGVs and Abnormal Indivisible Loads) has been fully assessed within Chapter 27 Traffic and Transport (AS1-052) and Chapter 27 Appendix 1 Transport Assessment (APP-119). 5. **LCC states that 'movements will affect the soft verge character of the relatively narrow network of roads once the major roads have been exited'.** a. The Applicant is cognisant of the relatively narrow network of roads which will be used to lead traffic to the Project. It is for this reason that the Project has established measures to minimise the use of narrow roads by construction vehicles. These measures include: i. Establishing 'Core' access routes with a number of 'Local' access routes linking the core access routes to the construction corridor access point. The number of local access routes has been limited, by maximising the use of the haul road along the length of the ECC, shown in the Transport Assessment Annex H (APP-223). ii. The Applicant has proposed the temporary installation of additional passing places to mitigate the risk of damage to road verges (see Transport Assessment Annexe N (AS1-094). iii. The Applicant has committed to pre and post construction surveys of all minor roads, to assess where specific damage to the road would need rectifying, which would include any damage to verges as a result of construction traffic (See Section 4.1.3 of the Outline Construction Traffic Management Plan (REP3-031)).

Question ID	Question addressed to	Question	Response
			6. LCC states that the "[DCO] application does not fully detail the scale of vehicle movement therefore in line with the ES, the Council have considered a worst-case scenario, where multiple large- vehicle movements adversely impact on the local road network". a. See the Applicant's responses above which demonstrate how the application has fully detailed the scale (number) of vehicle movements (i) and how the Applicant has included mitigation to address adverse impacts on the local road network (ii). b. The Applicant also notes that during Issue Specific Hearing 3 , LCC clarified that their concerns were not with the assessment of traffic for the Outer Dowsing project, but a more general concern about the number of NSIP projects being promoted in southern Lincolnshire, and the potential impacts that those projects might have on the local highway network, specifically the A roads. The Applicant has summarised this exchange at the foot of page 20 of REP3-051. **7. LCC also state that "wider highways work which include road widening or improvements and works to vegetation, including cutting back and removal, has the potential to change landscape character or open up views".** a. The Applicant has taken steps to reduce the need for vegetation removal, including the use of existing field accesses where feasible, and the commitment to consult with LCC as the local highway authority, at the detailed design stage, to propose temporary speed limit reductions in the vicinity of construction accesses and haul road crossings, to reduce the visibility splay requirements, and thus potential impacts on hedgerows. b. With regards to concerns that removal of vegetation could open-up views or change the landscape character, these potential effects would be very limited for the following reasons: i. there are a limited number of locations along the 70km route where road widening or passing places are planned and, therefore, the effects will be localised. ii. the additional extent of road surface required for the passing places and road widening will typically be limited such that it will be mostly grass verges affected over limited extents. iii. most of the construction associated with road widening and passing places will not affect trees and hedgerows because of the contained extents of these works, but also the limited occurrence of trees and hedgerows in the agricultural landscape through which the onshore cable corridor will pass.

Question ID	Question addressed to	Question	Response
			c. In localised instances where soft verges may be affected, the small scale and localised extent of any potential effects will ensure that local landscape character will not be adversely affected. In terms of views being opened up, the agricultural landscape is already exposed with little enclosure along field boundaries or roadsides. The openness of the baseline landscape, combined with the limited extent of removals that will arise from road widening and passing places, will mean that change to landscape character and visual amenity will be very limited and will not contribute to significant effects. **8. Finally, LCC state that "the compounds would be visible from the local road network and represent a man-made structure of considerable size for a significant period of time."** a. Although it is agreed that the construction compounds will be visible from certain sections of the local road network as assessed in Table 7.1 of the Landscape and Visual Impact Assessment (APP-083) the assessment concludes that effects from the compounds would be over localised extents and over a short-term duration.

2.14 Marine Mammals

Table 2.14: Marine Mammals

Question ID	Question addressed to	Question	Response
Q2 MM 1.1	The applicant	**Cumulative Interim Population Consequences of Disturbance** In the Mid-Examination Principal Issues Progress Tracker [REP3-052] the applicant notes that whilst a project alone Interim Population Consequences of Disturbance (iPCoD) has been provided, discussions with NE were ongoing regarding the cumulative iPCoD. Please provide an update on any discussions that have taken place and provide an indication of when the cumulative iPCoD will be submitted into the examination.	The Applicant has further considered the potential to run cumulative iPCoD and attempted to develop a suitable methodology to do so. In order to run a cumulative iPCoD model successfully, detailed piling schedules for every project included in the cumulative assessment would be required. The Applicant does not have access to these. Without reliable piling schedules for each project included in the cumulative modelling, there are too many uncertainties and a lack of data, and thus it is not realistically practicable to carry out such modelling. The Applicant notes that Natural England have accepted and agreed to this position in its responses to the Five Estuaries DCO examination (See Row ME. 1.01, REP4-062, Natural England, 2024). The response states *"We note that the modelling was conducted for project alone due to the uncertainties/ lack of data on the piling schedules of projects included in the in-combination assessment. We don't have objections to the Applicant's position on this".* The Applicant was not able to organise a meeting with Natural England to discuss this point on a call prior to Deadline 4 but will endeavour to close out this issue with them as soon as possible.

Question ID	Question addressed to	Question	Response
Q2 MM 1.2	The applicant	**Interim Population Consequences of Disturbance Modelling Report** In its response to ExQ1 MM1.5 NE has stated in [REP2-074] that "…further discussions on the impact of disturbance on harbour porpoise and bottlenose dolphin, and other species that show a decline once the inputs and outputs have been reviewed, are needed." Have these discussions with NE now taken place and does the applicant intend to present the median population size and the 95% confidence intervals data as recommended by NE in [REP2- 074]. If so, please set out when this information will be provided and if not, then explain why.	The Applicant has provided the mean, median and 95% CIs for the iPCoD modelling as requested by Natural England in iPCoD modelling report (document reference 15.12), submitted at Deadline 4. The Applicant is open to discussions with Natural England if they have further comment after reviewing the updated report.
Q2 MM 1.3	The applicant	**Use of Noise Abatement Systems** In its deadline 3 Risk and Issues Log [REP3-074] NE has maintained its view that a commitment should be made to the use of noise abatement systems (NAS) as a potential mitigation measure and that an adverse effect on integrity (AEoI) cannot be ruled out should such a commitment not be made. The applicant in its Mid Examination Principal Issues Progress tracker [REP3-052] has stated that "The Outline SIP (PD1-048) was updated to reference the potential use of Noise Abatement Systems as a secondary mitigation option." However, it would appear to the ExA that the wording in regard to the use of NAS is exactly the same in [PD1-048] as it was in the originally submitted In-Principle Southern North Sea Special Area of Conservation Site Integrity Plan [APP-281]. Notwithstanding the comments in [REP2-051] in response to ExQ1 MM1.6. the applicant is requested to explain its current position on this issue and state whether, in light of NE's position in [REP3-074], it is your intention to provide a stronger commitment to the use of NAS in an updated In-Principle SNS SAC Site Integrity Plan or an updated Marine Mammal Mitigation Protocol. If not, then explain how the ExA can be confident that an AEoI on the Southern North Sea SAC can be ruled out for both the project alone and in-combination?	Following publication of the recent Policy Paper: Reducing Marine Noise (Defra, 2025), the Applicant has committed to use best endeavours to deliver noise reductions through the use of primary and/or secondary noise reduction methods, with this commitment secured through the submission of an updated Outline Marine Mammal Mitigation Protocol for Piling Activities (document reference 8.6.1) and In-Principle Southern North Sea Special Area of Conservation Site Integrity Plan (document reference 8.7) submitted at Deadline 4. The Applicant is confident that the conditions requiring the production and approval by the MMO of a SIP prior to the commencement of piling activity (Schedule 10, Condition 22 and Schedules 11, 12, 13, 14 and 15, Condition 15 of the dDCO), which will set out the required management measures to ensure there is no risk of exceeding the area/time thresholds for the SNS SAC, is sufficient to enable the ExA and SoS to be confident that there is no risk of an AEoI. The Applicant attended the DEFRA Under Water Noise workshop on 24th January 2025, this included a presentation from the MMO setting out its approach to the management of underwater noise for offshore wind farms in the southern North Sea, including through the Site Integrity Plan (SIP) process. The Applicant maintains that the SIP process is the most appropriate mechanism to manage underwater noise, and notes that this is also the current position of DEFRA and the MMO.
Q2 MM 1.4	The Marine Management Organisation (MMO)	**Use of Noise Abatement Systems** In its deadline 3 Risk and Issues Log [REP3-074] NE has maintained its view that a commitment should be made to the use of noise abatement systems (NAS) as a potential mitigation measure and that an adverse effect on integrity (AEoI) of the Southern North Sea SAC cannot be ruled out should such a commitment not be made. This is still marked with a red colour coding in [REP3- 074]. In its response to ExQ1 MM 1.6 [REP2-051] the applicant has stated that: "The MMMP for piling activities will be submitted to the MMO for approval prior to construction, to allow for the most appropriate and best available technologies at the point of construction to be applied."	

Question ID	Question addressed to	Question	Response
		In its deadline 2 response in relation to ExQ2 MM 1.6 [REP2-092] the MMO has stated that it will "… keep a watching brief on this response." Furthermore, in [REP3-078] the MMO has noted that "… it is in the Applicant's interest to plan for noise abatement measures at the earliest opportunity and to incorporate such measures into relevant mitigation plans." Given the contrasting positions between NE and the applicant on the level of commitment needed to the use of NAS at this stage, provide further clarification as to what the MMO's views currently are on this matter and whether the MMO considers that this commitment has been adequately secured in the dDCO?	

2.15 Noise and Vibration

Table 2.15: Noise and Vibration

Question ID	Question addressed to	Question	Response
Q2 NV 1.1	East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	**Noise and Vibration effects on Property** In its response to Q1 NV 1.1 [REP2-069] Lincolnshire County Council (LCC) defers its response regarding concerns over the potential effects on property due to noise and vibration to East Lindsey District Council, Boston Borough Council and South Holland District Council as the relevant pollution control authorities. Therefore, considering the applicant's response to RRs [PD1-071], are the applicant's conclusions in relation to the impact of noise and vibration on the property mentioned in the RR submitted by Barry Cooper [RR-080] satisfactory? If not, explain your position with evidence to support your view.	
Q2 NV 1.2	The applicant	**Noise Bund Assessment** With reference to Q1 NV 1.3, the Environment Agency (EA) response [REP2-067] and the applicant's response [REP3-054], the applicant mentioned that it is working to address the EA's concerns. Provide an update on the progress made in addressing the EA's concerns by Deadline 4 and the possibility of a technical solution to address these concerns within this Examination. What would be the implications in terms of noise if the bund had to be either reduced in size or not constructed at all?	The EA response (REP2-067) related to the audit comment, by its external consultant, of the modelling used in Noise Bund Hydraulic Modelling Report (PD1-075-079). The comment related to an anomaly in the (EA) flood defence data used to build the model. The Applicant has amended the model and provided an updated report to the EA for review, accompanied by the detailed modelling files on the 2nd of January 2025. The Applicant has submitted V2 of the modelling report to the ExA at Deadline 4. The updated report concludes that the noise bund, as proposed, will not result in any significant increase in flood risk to others and no design mitigation is required. The purpose of the noise bund in to mitigate construction noise levels for ecological receptors within the Lincolnshire Wildlife Trust Anderby Marsh Reserve. The Applicant has carried out modelling of the landfall construction works and Noise Modelling Outputs Report (APP-217), plates 26.4 and 26.5 show the noise levels as mitigated by the proposed bund.

Question ID	Question addressed to	Question	Response
			The modelling shows that the bund effectively reduces construction noise levels within the reserve below the 55dB $L_{Aeq,1\text{-}hour}$ limit contained in the AQTAG09 Guidance. The guidance states that below this level it is unlikely that noise will have an adverse impact on designated species. Without the bund or any other mitigation measures, noise levels at the reserve could exceed this level and, in accordance with the AQTAG09 guidance, would then require a more detailed assessment of the impacts. The bund has been designed to ensure that noise levels at the wildlife site remain below the level contained in the guidance. .
Q2 NV 1.3	The applicant	**Noise Bund Hydraulic Modelling Report** With reference to Q1 NV 1.4, the EA response [REP2-067] and the applicant's response [REP3- 054] about addressing the comments of the EA. Provide an update by Deadline 4	Please see the Applicant's response to Q2 NV 1.2. An updated version of the Noise Bund Hydraulic Modelling Report has been submitted to the EA and is being submitted to the ExA at Deadline 4. The Applicant is submitting an updated version of the ECC and 400kV Flood Risk Assessment (document number 6.3.24 version 2), at Deadline 4, including the updated modelling results.
Q2 NV 1.4	East Lindsey District Council (ELDC) Boston Borough Council (BBC) South Holland District Council (SHDC)	**Vibration effects** In its response to Q1 NV 1.5 [REP2-069] LCC defers its response regarding the concerns about structural damage to the cottage due to vibrations from heavy vehicles to East Lindsey District Council, Boston Borough Council and South Holland District Council as the relevant pollution control authorities. With reference to the RR submitted by Nicola Ann Pearson [RR-091] and the Applicant's response [PD1-071], do you find the Applicant's conclusions regarding noise and vibration on the Cottage during construction satisfactory? If it is not satisfactory, explain your position with evidence to support your view.	

2.16 Offshore and Intertidal Ornithology

Table 2.16: Offshore and Intertidal Ornithology

Question ID	Question addressed to	Question	Response
Q2 OR 1.1	The applicant	**Outstanding areas of disagreement regarding assessment methodology** In Annex 1 of Appendix F2 of its deadline 3 response [REP3-070] Natural England (NE) has provided an update to its Summary of Disagreements for Offshore Ornithology Assessment Methodology. Whilst this indicates that some disagreements between NE and the applicant have now been resolved, nevertheless by deadline 3 there are still a number of methodological issues that have not yet been resolved that relate to both environmental impact assessment and Habitats Regulations Assessment considerations. These include, but are not limited to, the apportioning of razorbill to the Flamborough and Filey Coast SPA, the nocturnal activity factor used for collision risk modelling for common tern and little gull, and the approach to assessing impacts on red-	The Applicant's position is that a number of the items in the Risk and Issues Log have now been resolved through the provision of the updated Report to Inform Appropriate Assessment (RIAA) V3 (document reference 7.1) and associated documents submitted at Deadline 4. Any EIA-specific items will be resolved through the provision of the updated ES at Deadline 5. Please see the Applicant's response to the Risk and Issues log provided at Deadline 4 (document reference 21.8) for further detail. The Applicant has presented Natural England's preferred methodological approach in all cases, including apportioning of razorbill to the Flamborough and Filey Coast SPA and the use of agreed nocturnal activity factors within the broadfront collision risk modelling for common tern and little gull, within the RIAA V3 (document reference 7.1) submitted at

Question ID	Question addressed to	Question	Response
		throated diver in the operation and maintenance phase due to the presence of offshore reactive compensation platform(s) and ongoing vessel movements. Is it the applicant's intention to provide updated assessments based on NE's preferred methodology, even if it considers this to be on a 'without prejudice' basis? If so, set out when, and in relation to which outstanding areas of methodological disagreement, this work will be submitted into the examination. If not, then provide a justification for the applicant's approach in respect of each aspect of methodology that is still not agreed.	Deadline 4 (also see Appendix 12.5 Migratory Bird Collision Modelling (document reference 6.3.12.5). During the meeting held between ODOW and Natural England on 17th February 2025, an assessment method for considering project-specific displacement effects on the red-throated diver feature of the Greater Wash SPA from the ORCP, including contextualising these effects in the light of existing structures in the area, specifically the Lincs OWF, was agreed. The Applicant will provide an updated assessment in accordance with this methodology within the updated ES at Deadline 5. The Applicant has also utilised the agreed methodology within the assessment provided in the updated RIAA V3 (document reference 7.1) submitted at Deadline 4. As set out in paragraph 53 *et seq* within Chapter 12 Offshore and Intertidal Ornithology (AS1-040), no likely significant effects in EIA terms are predicted to occur from static structures like the ORCPs, nor would the limited number of vessel movements associated with the operation and maintenance of such a structure lead to any likely significant effects. The Applicant considers that, with the implementation of the mitigation measures presented within the Outline Vessel Management Plan (PD1-064), any impacts from vessel movements during operation would be small-scale and temporary and therefore not significant. As such, no further updates on this issue are proposed.
Q2 OR 1.2	Natural England (NE) and The Royal Society for the Protection of Birds (RSPB)	**Over-precaution and the application of the precautionary principle in relation to the assessment of collision and displacement effects** In its deadline 2 submission 'Levels of precaution in the assessment and compensation calculations for offshore ornithology' [REP2-057] and also in sections 3 and 4 of the Guillemot and Razorbill: Compensation Quanta [REP3-049] the applicant has set out what it considers to be a number of elements of methodological precaution. Whilst the applicant accepts the need for a precautionary approach, it contends that when taken together these layers of precaution would result in assessment outputs that are "unrealistic compared to the environmental risk in question" and which are "likely to result in a requirement for considerable over-compensation" due to the compounding of multiple precautions. " Please comment on the applicant's argument that has been set out in [REP2-057], and in particular justify the position that all the elements of precaution are required to be considered together in the assessment of potential impacts. Highlight any available evidence to support the view that all of these levels of precaution are reasonably likely to be applicable at the same time? Furthermore, in section 2 of [REP3-049] the applicant has provided its interpretation of how the precautionary principle should be applied. Comment on this.	

2.17 Oil, Gas and other Offshore Infrastructure

Table 2.17: Oil, Gas and other Offshore Infrastructure

Question ID	Question addressed to	Question	Response
Q2 OG 1.1	Ørsted Interested Parties (IPs)	**Potential monitoring implications of cumulative ecological and ornithological effects** Please confirm if the Ørsted IPs are satisfied with the applicant's response to its answer to ExQ1 OG 1.4 [REP3-054] in which it confirms that the Lincs Offshore Wind Farm is included in the ornithological cumulative effect assessment set out in ES Chapter 12 Offshore and Intertidal Ornithology [AS1-040]?	
Q2 OG 1.2	IOG North Sea Limited	**Status in the examination** The applicant's response to ExQ1 OG 1.12 [REP2-051] stated the following: "The Applicant can confirm that on 15th November 2024 the North Sea Transition Authority (NSTA) confirmed to IOG North Sea Limited that P2348 production licence will cease on December 31 2024. Furthermore, IOG North Sea Limited have confirmed to the Applicant that if it would be helpful to the Examining Authority they would withdraw their Interested Party status should this be helpful to the Examination process." Please can IOG North Sea Limited confirm if production licence P2348 ceased on 31 December 2024 and if it wishes to withdraw its representations?	On 15th January 2025 IOG North Sea Limited (now known as CalEnergy Resources (Operator) Limited) confirmed to the Applicant that the P2348 production licence was determined (surrendered) effective 31 December 2024.
Q2 OG 1.3	The applicant	**Existing environment - subsea cables** The applicant's response to ExQ1 OG 1.20 [REP2-051] states that it will review the scoping opinion for the Eastern Green Link 3 and 4 projects and provide an update in "due course". Please provide this update at deadline 4.	The Applicant has reviewed the Eastern Green Link (EGL) 3 and 4 Scoping Opinion and Scoping Report and has determined that, based on the current offshore cable corridors (noting that the corridor may be refined or amended before the submission of the Environmental Statement), there is no overlap between the EGL 3 and 4 cable corridors and the ODOW Export Cable Corridor. The Planning Inspectorate's National Infrastructure Consenting website estimates that the EGL 3/4 Environmental Statement will be submitted in Summer 2026 and the National Grid project website, estimates that construction will commence in 2028, and the cables will be operational by 2033. ODOW construction is expected to commence in 2026 and be complete in 2030. Approximate distances between EGL 3/4 and the offshore elements of ODOW are: • Distance to ODOW ECC – 1.4 km • Distance to ODOW ORCP – 6.7km • Distance to ODOW Array Area – 14.2km Based on the information currently available, there may be overlap of the construction periods of EGL 3/4 and ODOW, and subsequently it is possible that cumulative effects between the projects could occur. As discussed between the Applicant and the ExA at Issue Specific Hearing 2, the Applicant is completing an update to the cumulative effects assessment for all Environmental Statement chapters and it will be incorporated into the updated documents at Deadline 5.

Question ID	Question addressed to	Question	Response
			ODOW will continue to engage with EGL 3/4 as the project develops and ensure that appropriate agreements are in place to allow the projects to co-exist.
Q2 OG 1.4	The applicant Perenco Ørsted IPs	**Protective provisions** The Examining Authority (ExA) is due to publish its preferred draft Development Consent Order (dDCO), proposed schedule of changes, or commentary on the dDCO (if required) on 17 February. The ExA notes that the need for, and potential drafting of protective provisions is under discussion in relation to offshore infrastructure, including with Perenco [REP2-077] and the Ørsted IPs [REP3-062]. An action point for interested parties to submit preferred wording for protective provisions by deadline 4 was set at Issue Specific Hearing 1 [EV5-008]. • Please provide preferred drafting of protective provisions, if required, along with commentary to justify their inclusion in the dDCO. If there is dispute between parties, make the nature of this clear. • If draft protective provisions are being discussed with other offshore parties, the applicant and relevant parties are invited to provide details as above.	The Applicant has updated Schedule 18 (Protective Provisions) of the draft DCO (document 3.1, version 7) to include the Applicant's preferred set of protective provisions for the protection of (1) Perenco Gas (UK) Limited, Perenco North Sea Limited, Everard Energy Limited, Ithaca MA Limited, and RockRose (UKCS2) Limited ("Perenco") and (2) Shell U.K. Limited ("Shell"). In respect of the Perenco protective provisions, the Applicant has included these in the draft DCO following negotiations with Perenco in order to protect existing oil and gas assets operated by Perenco. The Protective provisions provide that: • Until such time as the Malory Assets, Galahad Assets and Pickerill Assets (all as defined in the draft protective provisions forming Part 11 of Schedule 18 of the draft DCO) have been decommissioned, the Applicant has agreed that no foundation (excluding scour protection) of any wind turbine generator shall be erected in the respective marine corridors (as defined in the draft protective provisions and shown on the Perenco Protective Provisions plan (document 21.15). This is to ensure that access by vessels to the platforms forming part of the Malory Assets, Galahad Assets and Pickerill Assets by Perenco is not interrupted. • Until such time as the Malory Assets and Galahad Assets have been decommissioned, the Applicant has agreed that no part of any wind turbine generator shall be erected in the respective WTG exclusion zone (as defined in the draft protective provisions and shown on the Perenco Protective Provisions plan (document 21.15). This is to ensure that access by helicopter to the platform forming part of the Malory Assets and Galahad Assets by Perenco is not interrupted under visual flight rules conditions. • Until such time as the Malory Assets has been decommissioned, the Applicant has agreed that no part of any wind turbine generator shall be erected in the aviation corridor (as defined in the draft protective provisions and shown on the Perenco Protective Provisions plan (document 21.15). This is to ensure that access by helicopter to the platform forming part of the Malory Assets by Perenco is not interrupted under visual flight rules conditions. • Until such time as the transmitter or receiver of microwave links forming part of the communications systems permanently ceases to transmit or receive microwave links, the Applicant has agreed that no wind turbine generator towers will be erected within defined communications corridors in order to ensure that there is no interference with microwave links between Perenco's platforms. The communications corridors are defined by reference to communication lines, which are all shown on the Perenco Protective Provisions Plan (document 21.15). • If the undertaker plans to undertake works within 500m of the Galahad Assets, the Malory Assets, or the Pickerill Assets, the undertaker shall notify the owner of the assets and the undertaker and the owner must, unless agreed otherwise,

Question ID	Question addressed to	Question	Response
			acting reasonably, agree and enter into a co-existence and proximity agreement as soon as reasonably practicable. • the owner and the undertaker shall from time to time keep each other informed of their respective activities in order to allow those activities to successfully co-exist as far as reasonably practicable. • Any difference arising between the parties will be settled by arbitration in accordance with article 39 (arbitration) of the draft DCO. The following points remain under discussion between the parties: • The radius of the communications corridors: the Applicant has proposed a 50m radius from the communications line. The Applicant awaits confirmation from Perenco that this is agreed. • The infrastructure permitted within the communications corridors: The Applicant's position is that WTG towers only should be excluded from being erected in the communications corridors. This is on the basis that turning blades are not expected to interfere with the line of sight communications between platforms. Perenco disagrees with this and wants no part of any WTG to be erected in the communications corridors. Discussions are ongoing between the parties on this point. • Perenco have requested amendment to paragraph 3 to allow for marine corridors to be free from other permanent or temporary infrastructure unless with their agreement. The Applicant does not agree as this would impose unnecessary control in respect of installation of cables across the marine corridor which would not unreasonably hinder the ability of Perenco to use the marine corridor for vessel access. The protective provisions provide that if the undertaker plans to undertake works within 500m of the Galahad Assets, the Malory Assets, or the Pickerill Assets, the undertaker has to notify the relevant asset owner and the undertaker and the owner must, unless agreed otherwise, acting reasonably, agree and enter into a co-existence and proximity agreement as soon as reasonably practicable, therefore a framework to deal with co-ordination is already in place. Discussions are ongoing between the parties on this point. In respect of the Shell protective provisions, the Applicant prepared a draft set of protective provisions. based on the Perenco protective provisions, in order to protect existing oil and gas assets operated by Shell. The Protective provisions provide that: • Until such time as the Barque Assets (as defined in the draft protective provisions forming Part 12 of Schedule 18 of the draft DCO have been decommissioned, the Applicant has agreed that no part of any wind turbine generator shall be erected in the WTG exclusion zone (as defined in the draft protective provisions and shown on the Shell Protective Provisions plan (document 21.14). This is to ensure that access by helicopter to the Barque Assets by Shell is not interrupted under visual flight rules conditions. • If the undertaker plans to undertake works within 500m of the Barque Assets, the undertaker shall notify the owner of the assets and the undertaker and the owner must, unless agreed otherwise, acting reasonably, agree and enter into a co-existence and proximity agreement as soon as reasonably practicable.

Question ID	Question addressed to	Question	Response
			• The owner and the undertaker shall from time to time keep each other informed of their respective activities in order to allow those activities to successfully co-exist as far as reasonably practicable. • Any difference arising between the parties will be settled by arbitration in accordance with article 39 (arbitration) of the draft DCO. A draft set of protective provisions was issued to Shell on 28th September 2024. Following progress on discussions with Perenco, a revised set of protective provisions mirroring the approach taken in the Perenco protective provisions was issued to Shell in November 2024. A further revised set of protective provisions, accounting for information on the relevant licence received from Shell and updates to reference the Shell Protective Provisions Plan, was issued to Shell in January 2025. Two meetings were held with Shell in December 2024. As at the date of this submission, no comments have been received from Shell on the draft protective provisions but a further meeting has been proposed by the Applicant for 5th February. Notwithstanding this, the Applicant considers protections should be in place for the Barque assets and is proposing the WTG exclusion zone for the reasons outlined above. In relation to the Ørsted IPs, as confirmed by the Ørsted IPs in the Ørsted IPs' Post-hearing submissions including written summaries of oral case at ISH 2 (REP3-062), the Applicant and the Ørsted IPs are in discussions in relation to agreement relating to the Lincs Offshore Wind Farm, with those terms to be replicated for the Race Bank Offshore Wind Farm once discussions have progressed sufficiently. The Applicant considers that the matters between the Applicant and the Ørsted IPs can be adequately addressed in the relevant agreements and therefore protective provisions or a separate requirement are unnecessary. The Applicant understands that the Ørsted IPs have no issue with this structure in principle, subject to the agreement being suitably comprehensive and sufficient progress being made. The Applicant continues to engage regularly with the Ørsted IPs and is confident that agreement can be reached on these matters.

2.18 Seascape and Visual

Table 2.18: Seascape and Visual

Question ID	Question addressed to	Question	Response
Q2 SV 1.1	The applicant Natural England (NE) Lincolnshire County Council (LCC)	**Duty to further the purposes of National Landscapes** The ExA notes the respective responses from the applicant [REP2-051], LCC [REP2-069] and NE [REP2-074] to ExQ1 SV 1.1. On 16 December 2024, the	

Question ID	Question addressed to	Question	Response
		Department for Environment Food and Rural Affairs (DEFRA) published new guidance on the duty to further the purpose of National Landscapes. **To NE and LCC:** • Please comment on whether the new DEFRA guidance has any implications for responses to ExQ1 SV 1.1. **To LCC:** • Please provide comments on NE's position as set out in its response to ExQ1 SV 1.1 that the duty does not apply as the project "will not be having significant impacts on the setting of the designated landscape…"?	
Q2 SV 1.2	The applicant Lincolnshire County Council (LCC)	**East Coast Flyway - World Heritage Site bid** LCC's response to ExQ1 SV1.2 [REP2-069] refers to the East Coast Flyway World Heritage Site bid which is at the preliminary assessment appraisal stage. **To LCC:** • Please elaborate on the location of the potential site and timescale for the bid and any implications that it may have for the project. **To the applicant:** • The applicant is invited to comment on this matter.	The Applicant considers the potential East Coast Flyway World Heritage Site (WHS) is not relevant to the Seascape, Landscape and Visual Impact Assessment (SLVIA). The WHS is at an early stage in the designation process and limited information is currently available on whether the bid will achieve designation. Notwithstanding this, the information that is available suggests this would have limited influence on the SLVIA and specifically relates to habitats that make up the coastal wetlands, including mudflats, sandflats, marshes, grasslands, gravel bars and subtidal habitats. The description of the East Coast Flyway WHS from the tentative WHS list (UNESCO, 2023) describes a range of coastal features and designations that are applicable to this potential designation. However, there is no reference to specific seascape or landscape character or value within this description. Therefore, the Applicant considers this is not applicable to the SLVIA assessment.

2.19 Shipping and Navigation

Table 2.19: Shipping and Navigation

Question ID	Question addressed to	Question	Response
Q2 SN 1.1	Ørsted Interested Parties (IPs)	**Cumulative Routeing and Navigational Risks** In its response to Q1 SN 1.2 [REP2-076], the Ørsted IPs mentioned considering a review of the NRA. The Ørsted IPs are requested to provide an update on whether the decision to review the NRA has been made? If the review has been conducted, please outline the concerns identified and how they might be addressed.	The Applicant notes that Environmental Statement Chapter 15 Shipping and Navigation (APP-070) and the Navigation Risk Assessment (NRA) (APP-171) found hazards to all vessels (including wind farm vessels) to be As Low As Reasonably Practicable (ALARP). The Maritime and Coastguard Agency (MCA), Trinity House, and Chamber of Shipping (CoS) have all confirmed they agree with these NRA conclusions via their respective draft Statement of Common Grounds (SoCG) (REP1-030, REP1-037, and REP1-033).

2.20 Socioeconomic Effects

Table 2.20: Socioeconomic Effects

Question ID	Question addressed to	Question	Response
Q2 SE 1.1	Relevant Interested Parties (IPs) Lincolnshire County Council (LCC) The applicant	**Economic impact on agricultural operations** Explain and quantify in the context of a local, regional and national scale, the likely economic impacts on agricultural operations from the proposed development, including but not limited to, land severance, dust contamination and crop quality.	**Economic impact on agricultural operations** <u>Local Impacts</u> As set out in Chapter 29 Socio-Economic Characteristics (APP-084) the Project will affect approximately 857 hectares of agricultural land, with 56% (around 478 hectares) classified as Grade 1 high-quality farmland. This land is primarily used for vegetable production, and the affected area represents approximately 1% of the total UK land used for vegetable farming, which was 84,825 hectares in 2022. While this reduction in available agricultural land may result in some localised economic loss, the impact is expected to be minor, as not all land loss will be permanent, and farmers may adjust their production methods accordingly. The sensitivity of the receptor is assessed as medium-high, and the magnitude of impact is low. Consequently, the overall significance of the impact at a local level is Minor Adverse – Not Significant in EIA terms. <u>Regional Impacts</u> At the regional level, the proportion of agricultural land affected is less than 0.5% of the total farmland in Lincolnshire and the Humber region. The Local Economic Area (LEA), which includes the Greater Lincolnshire and Hull & East Yorkshire Local Enterprise Partnerships, has a Gross Value Added (GVA) of £39.4 billion (Paragraph 51, APP-084). Given the relatively small proportion of agricultural land affected, the overall economic impact is expected to be minimal. The agricultural industry in this region accounts for 3.3% of total employment, a figure higher than the UK average of 1.5% (see Table 29.8 of APP-084). With the sensitivity of the receptor considered minor and the magnitude of impact negligible to low, the overall impact significance is classified as Negligible – Not Significant in EIA terms (Table 29.39, APP-084). <u>National Impact</u> At the national level, the total agricultural land used for vegetable farming in the UK was 84,825 hectares in 2022 (see table 29.16 of APP-084), meaning the 857 hectares affected by the Project account for approximately 1% of the total vegetable-growing land (Paragraph 69, APP-084). Furthermore, 46% of vegetables consumed in the UK are imported (Paragraph 70, APP-084), indicating that domestic production reductions have historically had little impact on food security or market prices. Additionally, the UK has experienced a long-term trend of decreasing farmland for vegetable production (Paragraph 69, APP-084), yet this has not resulted in major price fluctuations, suggesting that the impact of the Project will be Negligible – Not Significant in EIA terms. Given that only a small fraction of national farmland is affected (Paragraph 69, APP-084), and considering the UK's ability to import vegetables as needed (Paragraph 70, APP-084), the sensitivity of the UK vegetable market is assessed as Minor (Paragraph 175, APP-084), and the magnitude of impact is negligible. As a result, the overall national impact is classified as Negligible– Not Significant in EIA terms. **Land Severance** As outlined in the Outline Code of Construction Practice (oCOCP), the Applicant is committed to maintaining access for farming activities across all areas of fields intersected by the Project. In cases where it is mutually agreed between the Applicant and the landowner or farmer that certain areas are impractical to farm using standard methods, the Applicant will

Question ID	Question addressed to	Question	Response
			provide compensation to ensure that any necessary changes in farming practices do not result in economic detriment for the affected individuals. Therefore, there are no economic impacts because of land severance, at a local, regional, or national scale. **Dust contamination and crop quality** The Applicant's assessment of the potential impact from dust contamination concludes that no additional land outside of the order limits will be impacted by dust when mitigation measures are in place. The Applicant has already assessed the temporary loss of the area within the order limits so there is no further impact from dust contamination. Further details of the Applicant`s position with regards to dust contamination is given in 'The Applicant's Response to T.H. Clement's Dust Report, Assessment and Conclusions' (document reference 21.20).
Q2 SE 1.2	Lincolnshire County Council (LCC) The applicant	**Tourism impacts of construction traffic** Following LCC response to ExQ1 SE1.1 [REP2-069], the applicant's comments on responses to ExQ1 [REP3-054] and the conclusions of Environmental Statement (ES) Chapter 27 [AS1-052] LCC to outline specific tourist locations where it has concerns regarding traffic congestion and how this relates to the conclusions of ES Chapter 27[AS1-052]. Also, provide evidence to demonstrate the link between traffic congestion and a resulting reduction in tourist numbers. The applicant may also respond.	The Applicant has responded to the concerns raised by LCC on these matters in Table 1.1 paragraphs 15.22, 15.23 and 15.26 in The Applicant's Responses to Host Authorities Local Impact Reports (REP2-052).

2.21 Transportation and Traffic

Table 2.21: Transportation and Traffic

Question ID	Question addressed to	Question	Response
Q2 TT 1.1	The Applicant	**Construction traffic effects** In its response to Q1 TT 1.4 [REP2-054] the applicant mentioned engaging in discussions about additional traffic management measures to address the concerns raised by Nicholas Alexander Sermon [REP2-075] regarding construction traffic passing by the vehicular entrance to Wyberton Road. • Please provide an update on these discussions, including a list of the committed measures and how they will be secured to address this concern.	The Applicant has held a constructive meeting with Mr Sermon to discuss the concerns raised in the representation and practical measures that could be implemented at the construction stage, regarding the access to the property entrance concerned, which is opposite construction access AC-40. The Applicant believes that the use of construction signage to warn construction vehicles of the private entrance is the most appropriate measure that will be part of the signage plan for this access location. Site-specifical measures such as signage will be included within the final Construction Traffic Management Plan (CTMP) that will be submitted for approval. The Applicant explained its proposals for road widening to create passing places along Wyberton Road as shown in the Transport Assessment Annexe N, Passing Place Proposals Location 011 (AS1-094). The Applicant also discussed the proposed arrangements for the

Question ID	Question addressed to	Question	Response
		• Please provide a response to the comments addressing the concerns raised regarding the use of the footpath, as mentioned in the second paragraph of the response to ExQ1 TT 1.4 by Nicholas Alexander Sermon [REP2-075].	construction access (AC41) shown in the Transport Assessment Annexe E 'Construction Access General Arrangement Drawings' Sheet 13 (AS1-091). This shows that the existing farm access track will be widened to accommodate construction traffic. Regarding the PROW comments, the meeting was extremely helpful in allowing the Applicant to understand the concerns. The Applicant has shown the position of footpath WyBe2/4 in the outline Public Access Management Plan (PAMP) (REP2-041) and other related documents using the definitive map records provided by Lincolnshire County Council. It is understood that the path was realigned to this position relatively recently. Prior to the realignment, the path followed the farm track which the Applicant intends to use for construction traffic and this track is still used by walkers, although it is no longer an official public right of way. The concerns raised relate to the use of this section of track by walkers and construction traffic. The Applicant intends to visit the site to assess the situation but believes that the proposed widening of the track for construction traffic will be sufficient to allow safe use by walkers. The Applicant will discuss the situation with LCC Public Rights of Way and Access officer to discuss whether any special precautions are required. The Applicant believes that additional signing to warn construction vehicles and pedestrians would be appropriate and would be included in the final versions of the CTMP and PAMP when these are submitted for approval. The site-specific signing arrangements all remain to be designed and therefore the Applicant does not propose updating the oCTMP and oPAMP at this stage. The Applicant will update the ExA regarding the outcome of this site visit and engagement with LCC at Deadline 5. If any specific measures (other than signage) are agreed with the IP, the Applicant will incorporate these into the oCTMP and / or oPAMP and submit an updated version at Deadline 5.
Q2 TT 1.2	Lincolnshire County Council (LCC)	**Public Rights of Way (PRoW)** With reference to the applicant's written response in 1.4 of [REP3-053] to Action Point 7 from ISH3 [EV7-010] regarding the Public Rights of Way and Outline Public Access Management Plan. Does Lincolnshire County Council (LCC) have any concerns about the applicant's response? If so, please provide recommendations on how these concerns should be addressed.	

2.22 Water Environment

Table 2.22: Water Environment

Question ID	Question addressed to	Question	Response
Q2 WE 1.1	The applicant The Environment Agency (EA)	**National assessment of flood and coastal erosion risk** On 17 December 2024 the Environment Agency published its research and analysis of Flood Risk and Coastal Erosion in England titled 'National assessment of flood and coastal erosion risk in England 2024'. The ExA notes that there may also be further updates regarding Climate Change Scenarios, Long-Term Flood Risk checks, etc. **To the EA:** Please provide a timeline for when these changes will come into effect and any implications for this examination due to these changes. **To the applicant:** What are the potential implications for this examination due to these changes, and how might they be addressed?	The changes set out in the 'National assessment of flood and coastal erosion risk in England 2024' are based on updates to the National Flood Risk Assessment (NaFRA) and National Coastal Erosion Risk Map (NCERM). These reports now account for the latest UK Climate Projections (UKCP18). The changes to risk set out within the 'National assessment of flood and coastal erosion risk in England 2024' report relate to increases in risk to properties and infrastructure resulting from the increased risk of flooding and erosion due to climate change. The proposed construction works at landfall and along the Export Cable Corridor (ECC) are temporary works considered to be undertaken in the short term and as such will not be subject to significant changes due to climate change. The Flamborough Head to Gibraltar Point Shoreline Management Plan (SMP3) and the Gibraltar Point to Hunstanton Shoreline Management Plan (SMP4) are considered within the Environmental Statement under 6.1.24 Chapter 24 Hydrology Hydrogeology and Flood Risk (APP-079). There is no change to the SMP's and the policies therein with respect to the short, medium and long term plans for management of flood defences at the coast where landfall will be made and along the ECC route. There is no change to the assessment of impact with regard to construction activities at landfall or along the ECC route. At landfall, SMP3 states that the policy for management of flood defences is Hold the line to the end of the mid-term (to 2055). Longer term management is pending agreement but the Applicant has engaged with the Environment Agency regarding the Environment Agency's potential future works, and the design of the landfall takes account of potential options. Given the nature of defences at landfall being a line of sand dunes and a second defence along Roman Road, it is not anticipated that erosion will present any potential impact to buried infrastructure at the transition joint bay (TJB). The risk of flooding at the OnSS is assessed within the Environmental Statement at 6.3.24.3 Chapter 24 Appendix 3 Flood Risk Assessment Onshore Substation (AS1-070 to AS1-085). The assessment has been based on hydraulic modelling of peak water levels within the tidal reach of the River Welland and consideration of climate change is based on UKCP18 data. There are no changes to the findings of this assessment.

References

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Appendix 2.12 Q2 LU 1.1 Land Use

Figure 1.14 Q2 LU 1.1

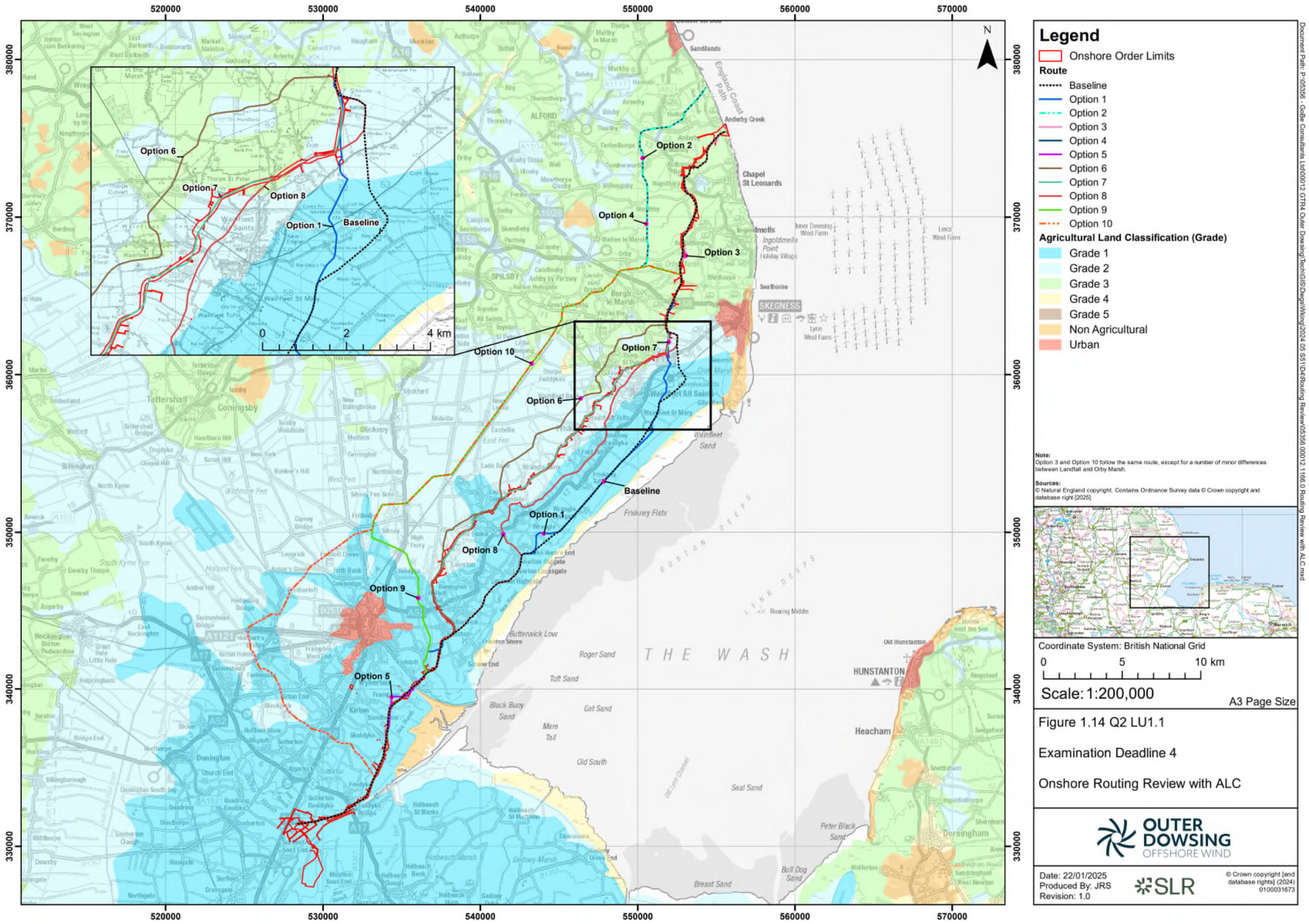

Table 1.14 Q1 LU 1.2: Agricultural Land Classification Grades by route option, with weighted scoring.

		Ha				Weighted Score				
Updated Route Option Name	**Route Option**	**Grade 1**	**Grade 2**	**Grade 3**	**Grand Total**	**Grade 1 Weighted**	**Grade 2 Weighted**	**Grade 3 Weighted**	**Weighted Total**	**Rank of Weighted**
Baseline	Baseline	824.05	49.64	297.15	1170.84	2472.14	99.29	297.15	2868.58	10
Option 1	Option 1	843.24	43.22	304.22	1190.67	2529.72	86.44	304.22	2920.37	11
Option 2	Option 2	463.75	476.6	466.68	1407.03	1391.25	953.2	466.68	2811.13	8
Option 3	Option 2a	463.75	476.6	459.05	1399.4	1391.25	953.19	459.05	2803.49	7
Option 4	Option 3	473.37	367.9	466.68	1307.95	1420.1	735.8	466.68	2622.58	5
Option 5	Option 3a	473.37	367.9	459.05	1300.32	1420.1	735.8	459.05	2614.95	4
Option 6	Option 1M	473.96	334.55	409.96	1218.46	1421.87	669.1	409.96	2500.93	1
Option 7	**Option 2A (ODOW Selected)**	**480.9**	**386.49**	**327.16**	**1194.55**	**1442.71**	**772.97**	**327.16**	**2542.85**	**2**
Option 8	Option 3Q	742.06	154.21	319.06	1215.33	2226.19	308.42	319.06	2853.67	9
Option 9	Option 4	465.53	367.9	453.14	1286.57	1396.59	735.8	453.14	2585.54	3
Option 10	Option 5	463.75	476.6	453.14	1393.49	1391.25	953.19	453.14	2797.58	6

Annex 1 Summary of amended offshore and intertidal ornithological impacts and associated compensation requirements

Table 2 presents a summary of the differences in mortality and changes to the increase on baseline mortality (which is considered significant when greater than 1%) that have resulted from the acceptance of the Offshore Restricted Build Area (ORBA). Table 3 presents the differences in the compensation requirements calculated pre and post acceptance of the ORBA. Note that the same approach to calculation has not been used in all cases, with Natural England only confirming their preference for the Hornsea Three Stage Two method after the ORBA was accepted, and that apportioning approaches for certain species will have also changed in line with recent advice from Natural England. Therefore, some caution is urged when comparing these numbers. In response to the ExA request for without prejudice information on the compensation requirements using a Hornsea Four method with additional consideration of philopatry, this is presented in Table 4. Details regarding changes made to the assessment methodologies between the original RIAA (AS1-095) and the latest update (RIAA V3, document reference 7.1) are presented in Table 5. The Applicant notes that the compensation quanta presented here are based upon published philopatry rates, which are at odds with the rates advised by Natural England (ie within the Hornsea Three part 2 method). As such the Applicant notes that, on provision of clarity on the Natural England rates, these numbers are subject to change.

Table 2. Summary of changes in mortality and increase in baseline mortality resulting from the introduction of the ORBA.

Species	Designated site	Approach	Pre-ORBA impact		Post ORBA impact		Notes
			Mortalities	Percentage increase on baseline mortality (most relevant count)	Mortalities	Percentage increase on baseline mortality (most relevant count)	
Puffin	Flamborough and Filey Coast SPA	Applicant	0.4	0.145	0.4	0.140	Pre ORBA impacts did not account for NE's 100% adult proportion. Therefore NE's pre ORBA impacts have been appropriately scaled here to allow comparison.
		Natural England	2.1	0.738	2.0	0.699	
Puffin	Coquet Island SPA	Applicant	1.8	0.039	1.7	0.035	Pre ORBA impacts did not account for NE's 100% adult proportion. Therefore NE's pre ORBA impacts have been appropriately scaled here to allow comparison.
		Natural England	9.2	0.196	8.0	0.169	
Puffin	Farne Islands SPA	Applicant	0.5	0.007	0.7	0.009	Pre-ORBA impacts directly comparable with post-ORBA impacts
		Natural England	1.5	0.019	2.0	0.024	
Guillemot	Flamborough and Filey Coast SPA	Applicant	25.9	0.28	25.8	0.282	Uses design based impacts as no pre-ORBA model based impacts are available
		Natural England	72.5	0.793	375.2	4.102	
Guillemot	Farne Islands SPA	Applicant	2.1	0.074	3.0	0.106	Uses design based impacts as no pre-ORBA model based impacts are available
		Natural England	5.9	0.207	2.7	0.097	
Razorbill	Flamborough and Filey Coast SPA	Applicant	11.8	0.183	10.5	0.241	Pre ORBA impacts did not account for NE's bespoke post-breeding apportioning. Therefore NE's pre ORBA impacts have been appropriately scaled here to allow comparison.
		Natural England	121.5	1.886	108.1	1.678	

			Pre-ORBA impact		Post ORBA impact		
Gannet (combined)	Flamborough and Filey Coast SPA	Applicant	5.4	0.217	4.8	0.193	Does not account for post ORBA change in adult proportion (across both approaches) which would have minimal impact to outcomes
		Natural England	5.4	0.217	4.8	0.193	
Kittiwake	Farne Islands SPA	Applicant	0.4	0.03	0.4	0.028	Does not account for post ORBA change in adult proportion (across both approaches) which would have minimal impact to outcomes
		Natural England	0.4	0.03	0.4	0.028	
Kittiwake	Flamborough and Filey Coast SPA	Applicant	14.6	0.112	15.6	0.119	Does not account for post ORBA change in adult proportion (across both approaches) which would have minimal impact to outcomes
		Natural England	14.6	0.118	15.6	0.119	
Herring gull	Flamborough and Filey Coast SPA	Applicant	0.1	0.278	0.2	0.406	Pre ORBA impacts did not account for NE's 100% adult proportion. Therefore NE's pre ORBA impacts have been appropriately scaled here to allow comparison.
		Natural England	0.2	0.556	0.4	0.806	
Lesser black-backed gull	Alde-Ore Estuary SPA	Applicant	0.2	0.007	0.23	0.056	Does not account for post ORBA change in adult proportion (across both approaches) which would have minimal impact to outcomes
		Natural England	0.2	0.01	0.16	0.002	
Sandwich tern	Coquet Island SPA	Applicant	0	0	0	0	Pre-ORBA impacts directly comparable with post-ORBA impacts
		Natural England	0	0	0	0	
Sandwich tern	North Norfolk Coast SPA	Applicant	0.2	0.015	0.2	0.016	Pre ORBA impacts did not account for NE's 100% adult proportion. Therefore NE's pre ORBA impacts have been appropriately scaled here to allow comparison.
		Natural England	0.33	0.025	0.33	0.027	

Table 3. Comparison of before and after ORBA compensation quanta.

Species	Designated site	Impact calculation method	Pre-ORBA compensation requirement (1:1 ratio, breeding pairs)	Post ORBA compensation requirement (1:1 ratio, breeding pairs)	Notes
Guillemot	Flamborough and Filey Coast SPA	Applicant	110.6	77.3	Directly comparable
		Natural England	1,007.90	5,224.40	Large increase after NE advice to use Hornsea 3 stage 2 – pre ORBA compensation based on Hornsea 4 calculation and introduction of bespoke post-breeding apportioning.
Razorbill	Flamborough and Filey Coast SPA	Applicant	103.4	92.0	Directly comparable
		Natural England	479.2	408,373	Large increase after NE advice to use Hornsea 3 stage 2 – pre ORBA compensation based on Hornsea 4 calculation and introduction of bespoke post-breeding apportioning.

Species	Designated site	Impact calculation method	Pre-ORBA compensation requirement (1:1 ratio, breeding pairs)	Post ORBA compensation requirement (1:1 ratio, breeding pairs)	Notes
Kittiwake	Flamborough and Filey Coast SPA	Applicant	38.9	41.8	Directly comparable apart from minor changes in adult proportion (90% to 91%)
		Natural England	93.9	101.6	Directly comparable apart from minor changes in adult proportion (90% to 91%)

Table 4. Compensation requirement using "modified Hornsea Four" method (Applicant's and Natural England's impact values)

Species	Compensation requirement using the Hornsea Four method (pairs) (Applicant's approach) (1:1 ratio)	Compensation requirement using Applicant's impact values and the "modified Hornsea Four" method (pairs) (1:1 ratio)	Compensation requirement using Natural England's preferred approach (mean impact value) and the "modified Hornsea Four" method (pairs) (1:1 ratio)	Compensation requirement using Natural England's preferred approach (UCI impact value) and the "modified Hornsea Four" method (pairs) (1:1 ratio)
Guillemot	77.3	133.3	1,779.4	2,684.4
Razorbill	92.0	1045.5	4,320.5	6,484.9

Table 5. Differences between pre and post ORBA assessment for each species.

	Approach	Difference in post ORBA assessment methodology
Puffin	Applicant	No change
	Natural England	Use of the 100% adult proportion
Guillemot	Applicant	Use of model based impacts rather than design based impacts
	Natural England	Use of the 100% adult proportion, addition of the bespoke post breeding bioseason and bespoke apportioning rate, use of model based impacts rather than design based impacts
Razorbill	Applicant	No change
	Natural England	Use of the 100% adult proportion, addition of the bespoke post breeding bioseason and bespoke apportioning rate
Gannet	Applicant	Use of site specific adult proportion of 90% rather than 86%
	Natural England	Use of site specific adult proportion of 90% rather than 86%
Kittiwake	Applicant	Use of site specific adult proportion of 91% rather than 90%
	Natural England	Use of site specific adult proportion of 91% rather than 90%
Herring gull	Applicant	No change
	Natural England	Use of the 100% adult proportion

	Approach	Difference in post ORBA assessment methodology
Lesser black-backed gull	Applicant	Use of site specific adult proportion of 66% rather than 50%
	Natural England	Use of site specific adult proportion of 66% rather than 50%
Sandwich tern	Applicant	No change
	Natural England	Use of the 100% adult proportion