

The Crown Estate is making this submission in response to Question 16 of the Examining Authorities Rule 17 letter dated 21 March 2025.

*Q16: To the Crown Estate: NE [RR-045,C45] queried whether the information presented by the applicant met the requirement of the Round 4 plan level HRA which requires developers to demonstrate that irreparable damage to qualifying features has been avoided. Discussion through the examination is documented in paragraphs 3.2.36 – 3.2.40 of the ExA's RIES[PD-022]. NE note that the conclusions of no AEol for IDRBNR SAC at the plan level was due to avoidance of the site. NE have requested [REP5-172] engagement from the Crown Estate on this matter relating to potential seabed lease requirements for ODOW and implications of the current predicted AEol of IDRBNR SAC. The ExA requests that the Crown Estate provide its views on the conclusions of the plan level assessment and its applicability to this project and where possible for the applicant, NE and the Crown Estate to seek to progress this matter by deadline 6.*

As a Competent Authority for the purposes of the Habitats Regulations, The Crown Estate undertook a plan-level Habitats Regulations Assessment (HRA) of The Offshore Wind Leasing Round 4 Plan. Among other things this included a risk-based assessment of potential cable routes for all wind farm sites since these routes had not been defined at the time of the Leasing Round. This risk-based assessment considered the potential impacts from the installation of export cables and their associated infrastructure, as well as the vulnerability of Protected Sites and their features; it produced a risk score for the features of the Protected Sites which would potentially be affected, as well as requirements associated with each level of risk. Under the terms of the offshore wind agreements for lease, at the cable route selection and refinement stage developers are obliged to demonstrate to The Crown Estate's satisfaction, the measures that have been taken to comply with the requirements associated with the risk scores for the relevant Protected Sites. This obligation must be satisfied before a transmission assets agreement for lease can be entered into for the cable routes.

In the case of the Inner Dowsing, Race Bank and North Ridge SAC (IDRBNR SAC), both the reef and sandbank features were given a red (high risk) score, with the consequence that developers were directed to avoid irreparable damage to these features. It follows that under the terms of its offshore wind Agreement for Lease, the Applicant was obliged to demonstrate the measures that it had taken to ensure that the proposed export cable route would avoid irreparable damage to the features of the IDRBNR SAC before a transmission assets agreement for lease could be entered into.

The Crown Estate's plan-level HRA does not replace the need for a project level HRA nor does the Round 4 plan-level HRA attempt to pre-empt the conclusions of the project level HRA or the issues to be determined as part of the DCO application. However, in accordance with the terms of the Agreement for Lease the applicant provided The Crown Estate with a copy of the DCO application and details of the approach taken to the export cable routes which it had selected, including measures taken by the Applicant for the avoidance of irreparable damage to the features of IDRBNR SAC. The Crown Estate confirmed to the Applicant that it had met the necessary requirements under the offshore wind Agreement for Lease and an Agreement for Lease for the transmission assets was completed on 17th October 2024.