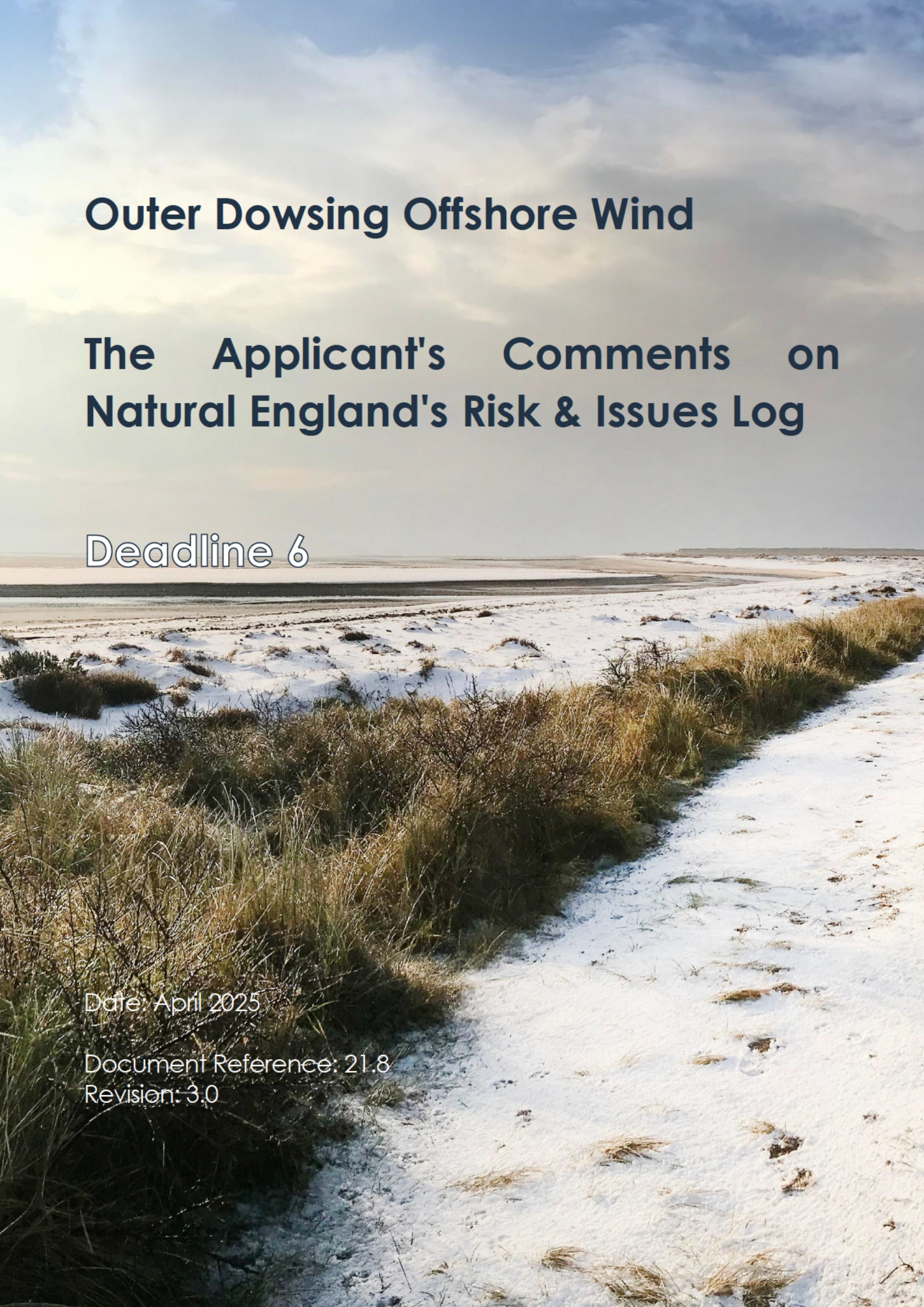


Outer Dowsing Offshore Wind

The Applicant's Comments on Natural England's Risk & Issues Log

Deadline 6

Date: April 2025

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Acronyms & Definitions

Abbreviations / Acronyms

Abbreviation / Acronym	Description
ADD	Acoustic Deterrent Device
AEoI	Adverse Effect on Integrity
ANS	Artificial Nesting Structure
AON	Apparently Occupied Nests
BE	Benthic Ecology
BT	British Telecommunications PLC
CBRA	Cable Burial Risk Assessment
CI	Confidence Interval
CIMP	Compensation Implementation and Monitoring Plan
CRM	Collision Risk Modelling
CSIP	Cable Installation and Specification Plan
DAS	Digital Arial Survey
DAS	Discretionary Advice Service
dDCO	draft Development Consent Order
DCO	Development Consent Order
Defra	Department for Environment, Food and Rural Affairs
DEP	Dudgeon Extension Project
DESNZ	Department for Energy Security and Net Zero, formerly Department of Business, Energy and Industrial Strategy (BEIS), which was previously Department of Energy & Climate Change (DECC)
dML	deemed Marine License
EA	Environmental Agency
EBS	Ecology Baseline Survey
ECC	Export Cable Corridor
ECRA	Export Cable Region Assessment
EIA	Environmental Impact Assessment
EIFCA	Eastern Inshore Fisheries and Conservation Authority
EPCI	Engineering, Procurement, Construction and Installation
ES	Environmental Statement
ExA	Examining Authority
FFC	Flamborough and Filey Coast

Abbreviation / Acronym	Description
GBS	Gravity Base Structures
GW	Greater Wash
HDD	Horizontal Directional Drilling
HPAI	Highly Pathogenic Avian Influenza
HRA	Habitats Regulations Assessment
IDRBNR	Inner Dowsing Race Bank North Ridge
IHO	International Hydrographic Organisation
IMP	Implementation and Monitoring Plan
iPCoD	interim Population Consequences of Disturbance
JNCC	Joint Nature Conservation Committee
KJ	Kilojoule
Km	Kilometre
KSCP	Kittiwake Strategic Compensation Plan
LAT	Lowest Astronomical Tide
LBBG	Lesser Black-Backed Gull
LGS	Local Geological Site
LPA	Local Planning Authority
LSE	Likely Significant Effect
MA	Mitigation Area
MCA	Maritime and Coastguard Agency
mCRM	Migratory Collision Risk Model
MCZ	Marine Conservation Zone
MDS	Maximum Design Scenario
MLWS	Mean Low Water Springs
MM	Marine Mammals
MMO	Marine Management Organisation
MMOb	Marine Mammal Observer
MMMP	Marine Mammal Mitigation Protocol
MPA	Marine Protected Area
MRF	Marine Recovery Fund
MZ	Mitigation Zone
NAF	Nocturnal Activity Factor
NAS	Noise Abatement Systems

Abbreviation / Acronym	Description
NE	Natural England
NERC	Natural Environment Research Council
NNC	North Norfolk Coast
NSIP	Nationally Significant Infrastructure Project
NSN	National Site Network
NPS	National Policy Statement
OCoCP	Outline Code of Construction Practice
ODOW	Outer Dowsing Offshore Wind (The Project)
O&M	Operation and Maintenance
OOMP	Offshore Operations and Maintenance Plan
ORBA	Offshore Restricted Build Area
ORCP	Offshore Reactive Compensation Platform
OSCMP	Outline Scour and Cable Protection Management Plan
OWF	Offshore Wind Farm
PAM	Passive Acoustic Monitoring
PEMP	Project Environmental Management Plan
PINS	Planning Inspectorate
PTS	Permanent Threshold Shift
PVA	Population Viability Analysis
RAG	Red, Amber and Green
RIAA	Report to Inform the Appropriate Assessment
RWCS	Reasonable Worst Case Scenario
SAC	Special Areas of Conservation
SACO	Supplementary Advice on the Conservation Objectives
SADEP	Sheringham and Dudgeon Extension Projects
SEP	Sheringham Extension Project
SIP	Site Integrity Plans
SMP	Soil Management Plan
SNCB	Statutory Nature Conservation Bodies
SNS	Southern North Sea
SoS	Secretary of State
SPA	Special Protection Area
SPCPMP	Scour Protection and Cable Protection Management Plan

Abbreviation / Acronym	Description
SSC	Suspended Sediment Concentration
SSSI	Site of Special Scientific Interest
SW	South West
TCE	The Crown Estate
TKOWFL	Triton Knoll Offshore Wind Farm Limited
TORC	The Oyster Restoration Company
TTS	Temporary Threshold Shift
UCL	Upper Confidence Limit
UK	United Kingdom
UXO	Unexploded Ordnance
WCS	Worst Case Scenario
WMS	Written Ministerial Statement
WNNC	Wash and North Norfolk Coast
WTG	Wind Turbine Generator

Terminology

Term	Definition
The Applicant	GTR4 Limited (a joint venture between Corio Generation (and its affiliates), TotalEnergies and Gulf Energy Development), trading as Outer Dowsing Offshore Wind.
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, including the ORBA.
Baseline	The status of the environment at the time of assessment without the development in place.
Cumulative Effects	The combined effect of the Project acting additively with the effects of other developments, on the same single receptor/resource.
Deemed Marine Licence (dML)	A marine licence set out in a Schedule to the Development Consent Order and deemed to have been granted under Part 4 (marine licensing) of the Marine and Coastal Access Act 2009.
Development Consent Order (DCO)	An order made under the Planning Act 2008 granting development consent for a Nationally Significant Infrastructure Project (NSIP).
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.

Term	Definition
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).
Environmental Statement (ES)	The suite of documents that detail the processes and results of the EIA.
Evidence Plan	A voluntary process of stakeholder consultation with appropriate Expert Topic Groups (ETGs) that discusses and, where possible, agrees the detailed approach to the Environmental Impact Assessment (EIA) and information to support Habitats Regulations Assessment (HRA) for those relevant topics included in the process, undertaken during the pre-application period.
Habitats Regulations Assessment (HRA)	A process which helps determine likely significant effects and (where appropriate) assesses adverse impacts on the integrity of European conservation sites and Ramsar sites. The process consists of up to four stages of assessment: screening, appropriate assessment, assessment of alternative solutions and assessment of imperative reasons of over-riding public interest (IROPI) and compensatory measures.
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 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
Offshore Export Cable Corridor (ECC)	The Offshore Export Cable Corridor (Offshore ECC) is the area within the Order Limits within which the export cables running from the array to landfall will be situated.
Offshore Reactive Compensation Platform (ORCP)	A structure attached to the seabed by means of a foundation, with one or more decks (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

Term	Definition
Onshore Infrastructure	The combined name for all onshore infrastructure associated with the Project from landfall to grid connection.
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.
Outer Dowsing Offshore Wind (ODOW)	The Project.
Order Limits	The area subject to the application for development consent, The limits shown on the works plans within which the Project may be carried out.
The Planning Inspectorate	The agency responsible for operating the planning process for Nationally Significant Infrastructure Projects (NSIPs).
Pre-construction and post-construction	The phases of the Project before and after construction takes place.
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.
Statutory consultee	Organisations that are required to be consulted by the Applicant, the Local Planning Authorities and/or The Planning Inspectorate during the pre-application and/or examination phases, and who also have a statutory 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.
Strategic Compensation	Collaborative approach by developers and/or government departments to secure compensation for adverse effects on the conservation objectives of a Marine Protected Area.
Study Area	Area(s) within which environmental impact may occur – to be defined on a receptor-by-receptor basis by the relevant technical specialist.
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

1 Comments on Natural England's Risk and Issue Log

1. The Applicant submitted a response to Natural England's Risk and Issue Log submitted at Deadline 3 (REP3-074), Deadline 4 (REP4-113) and Deadline 4a (REP4a-111)
2. Natural England submitted an updated Risk and Issue Log at Deadline 5 (REP5-171)
3. The Applicant has responded to the Risk and Issue Log submitted at Deadline 5 (REP5-171) in Table 1.1.1 - Table 1.9.1 below.

1.1 A DCO & dML

Table 1.1.1 The Applicant's Current position on Risk and Issues matters – DCO & dML

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
1	A4	3.1 -Sched. 10, Pt 2, Cond. 13(1) (a), Pg. 124. The definition of maintain does not link to the limits of maintenance as described in the ES or to the outline Operations and Maintenance Plan. Linking to the limits of maintenance will provide clarity that only activities assessed within the ES are covered by the definition of maintenance.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No change D3 – No change D4 – No change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position and is hopeful that this Issue can be resolved. The Applicant notes that the MMO has confirmed that it is satisfied with the definition of "maintain" at 2.1.11 of the MMO's Deadline 4 Submission (REP4- 129) following a similar explanation.	D5 – No change	The Applicant's position remains as set out at A4 of Table 1.45.2.2 of the Applicant's Responses to Relevant Representations (PD1- 071) that no change to the DCO is required. The definition of "maintain" in article 2 and condition 4(2), Part 2 of Schedules 10 and 11 and condition 2(2), Part 2 of Schedules 12-15 both restrict the maintenance works authorised to the extent assessed in the ES. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position and is hopeful that this issue can be resolved. The Applicant notes that the MMO has confirmed that it is satisfied with the definition of "maintain" at 2.1.11 of the MMO's Deadline 4 Submission (REP4- 129) following a similar explanation.
2	A5	3.1 - Sched 1 Part 3 Requirement 18 Code of Construction Practice. Consider inclusion of a plan to monitor the Sea Bank Clay SSSI in the event of dewater within requirement 18. And ensure that all environmental mitigation measures are appropriately secured.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No change D3 – No change D4 – No change	The Applicant believes that the inclusion of the Water Quality Monitoring and Mitigation Plan ought to be sufficient to resolve the Issue. The Applicant will seek further engagement to discuss the issue and determine whether agreement is possible.	D5 – No change	As set out in the Applicant's Response to points H26, H27 and H7 of the Ecology Risk and Issues Log Requirement 18 (2) (j) requires that the Water Quality Management and Mitigation Plan (WQMMP) be submitted for approval by Lincolnshire County Council, in consultation with (as appropriate): • The relevant planning authority; • The Environment Agency; and • The relevant Statutory Nature Conservation Body. In this instance Natural England would be the relevant Statutory Nature Conservation Body. On this basis, it is the Applicant's view that this commitment secures Natural England's wish to 'have

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Actions, Consultations, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						sight of the plan as part of consent to resolve this issue'. It is not clear to the applicant why NE's position is unchanged from Deadline 4a. The Applicant's position remains that the RAG status can be changed to Green at Deadline 6. It should be noted that the process to develop and approve the Water Quality Monitoring and Mitigation Plan has also been discussed with the Environment Agency (EA), and that the EA are satisfied that the matter has been resolved, which was confirmed in the EA's comments on the Applicant's DL2 submissions (REP3-064). The agreed process involves the updating of the Groundwater Risk Assessment (GWRA) (REP4a-058) prior to producing the WQMMP and appending the updated GWRA to the plan. This has been secured through inclusion of this process in section 5.21 of the outline Code of Construction Practice (REP5-113), which outlines the content of the WQMMP. The provision of the WQMMP is secured through DCO Requirement 18 (j) (REP5-002).
3	A6	3.1 - Sched. 10, Pt 2, Cond. 13(1) (a), Pg. 124. Natural England notes that the relevant Statutory Nature Conservation Body (SNCB) is not listed as a body that will be consulted by the Marine Management Organisation (MMO) on this document. Consider amendment to make it explicit that the relevant SNCB will be consulted.	D1 - No change. A DCO update will be provided at Deadline 2. D2 - Condition has been appropriately updated, SNCB consultation has been secured. Resolved.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.		
4	A7	3.1 - Sched. 10, Pt. 2, Cond. 14(2) Pg. 127. A period of four months is insufficient to approve some documentation. The condition should be amended to a 6 month approval period. For the Sheringham and	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue	D5 - No Change	In order to reach agreement with the MMO on this matter, the Applicant updated the DCO at Deadline 5 which provides for a 6 month timescale for those plans specifically requested by the MMO in the MMO's Written Representation

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Actions, Consultations, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		Dudgeon Extension Project, a 6-month period was agreed for some conditions.		and determine whether agreement is possible. The Applicant has also discussed this matter further with the MMO at meetings on 20 and 24 February 2025.		(REP1-056) and the MMO's Deadline 4a Submission (REP4a-133), with the exception of the Ornithology Plans, which are not relevant to the Project or proposed by the Applicant and which the Applicant considers are likely to be related to different proposals. A six-month determination period therefore applies to the following plans: • Marine Mammal Mitigation Protocol; • Monitoring Plan; • Site Integrity Plan; • Operation and Maintenance Plans; and • Construction Method Statement. The timescales proposed are appropriate and strike the balance between allowing the MMO and consultees adequate time to consider the submissions and the need for speedy deployment of offshore wind Critical National Priority (CNP) infrastructure in order to meet the 2030 targets for offshore wind and the net zero targets set by the government. The Applicant considers that this update ought to be sufficient to resolve the issue.
5	A8	3.1 - Sched. 10 and 11 Condition 19 Pg. 129. The Applicant should include and secure within the ODOW DCO/DML wording in accordance with the SADEP DCO which contains a clause requiring adaptive management /remediation measures to be implemented, and further consultation with relevant bodies is required to inform agreement/discharge.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 - Natural England notes condition 21 now secures the deployment of cable protection up to 10 years post construction. However, this is inconsistent with the OOMP [APP-275 and not in line with Natural England's best practice provided in Deadline 4 Appendix C5. We will	The Applicant understands this D4 update is intended to refer to issue A9. Assuming there is no change in Natural England's request for a condition requiring adaptive management, the Applicant maintains its position as described at Deadline 4. In addition, the role of the baseline in the assessment gives rise to	D5 - No Change	The Applicant strongly resists the inclusion of such a condition for the reasons sets out at Deadline 4a.

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			review once the Applicant has provided further update.	particular concerns about how such a condition would operate in practice. The ES undertakes an assessment of the likely significant environmental effects of the project against the current baseline and the Applicant's view of the evolution of that baseline insofar as can be predicted at the time of the assessment. If an unanticipated environmental outcome were to take place in the future, that outcome could be as a result of an unanticipated evolution of the baseline, rather than as a consequence of the project. In such an instance, a condition requiring the Applicant to develop and deliver mitigation to bring the effect, that is to say the environmental outcome, into line with the effect assessed in the ES would be triggered by external events, not as a result of the project. The imposition of such a condition in that circumstance would not be sufficiently related to the development to be an appropriate marine licence condition. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.		

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
				The Applicant has also discussed this matter further with the MMO at meetings on 20 and 24 February 2025.		
6	A9	3.1 - Sched. 10 Part 2 Condition 21. This condition prohibits the deployment of cable protection 10 years after the completion of construction. This condition should be amended to secure that no cable protection will be deployed within the designated site after the construction works within the designated site have completed. Please see agreement drawn to this effect for SADEP in regards to inside and outside of Cromer Shoal Chalk Beds MCZ.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. In particular, the Applicant refers to its response to Natural England's more detailed advice set out in Appendix C5 at (document reference 22.3 The Applicant's Comments on Deadline 4 Submissions). The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination. The Applicant notes the MMO's confirmation that conditions in the form of Condition 21, Part 2, Schedule 11 of the DCO proposed by the Applicant are becoming standard in DMLs (paragraph 2.1.24, MMO's Deadline 4 Submission (REP4-129)).	D5 - No Change	The Applicant maintains its position as set out at Deadline 4a. The proposed amendment to the condition is unnecessary as the effect of installing cable protection has been assessed as a long-term or permanent habitat loss or alteration in both Chapter 9, Benthic and Intertidal Ecology (APP-064) and the RIAA (document reference 7.1) and the assessments concluded no likely significant effects and no AEoI respectively.
7	A10	All comments raised on Schedule 10 apply to Schedule 11, 12, 13, 14, 15 and 16 where similar provisions exist. For brevity Natural England will not repeat these comments.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – Closed.			
8	A11	3.1 Schedule 16. Until further evidence is provided to refine down the 17 areas of search to 1 or maybe 2 locations the potential impacts on Annex I features within the SAC and/or the conservation objectives for the site can't be assessed. Therefore, at this time we are unable to support the inclusion of Schedule 16.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant notes that there is a disagreement over the principle of the development of projectspecific compensation measures for impacts	D5 - No Change	The Applicant maintains its position as set out at Deadline 4a. The Applicant notes that the Applicant and Natural England disagree, as a matter of principle, on whether the creation of biogenic reef should be promoted as a compensation measure in light of the WMS on the availability of the SAC Extension measure.

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
9	A12	3.1 -Sched. 16, Pg. 202 Some of the 17 potential Annex I compensation areas of search are located where The Crown Estate has recently issued seabed lease areas to the Aggregates Industry. We acknowledge that the issue of marine spatial prioritisation is a wider seabed issue than for just this project, and we will continue to work with relevant interested parties to address this and update the Examination accordingly.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 – No Change	on the sandbank and biogenic reef features of the IDRBNR SAC. The Applicant explained at ISH6 that there remains uncertainty around timing, cost, and quantity of any MPA extension as a strategic compensation measure - the Applicant and Natural England's preferred compensation measure should compensation for impacts on the sandbank and biogenic reef features of the IDRBNR SAC be determined to be required by the Secretary of State. Therefore, whilst Natural England may disagree with the Applicant's approach, it is prudent and necessary for the Applicant to retain other appropriate compensation measures which would be deliverable should the MPA extension measure not be available. However, in order to reduce the outstanding issues, the Applicant further explained at ISH6 that it would be narrowing the compensation options that it intends to pursue. A Change Notification was submitted on 20 February 2025 (AS-032) detailing the proposed amendments to Parts 4 and 5 of Schedule 22 of the DCO. These amendments have been reflected in the updated draft of the DCO submitted at Deadline 4a. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement	D5 - No Change	The Applicant's position is that the drafting of Schedule 16 is appropriate and should be included. The Applicant maintains that until the SoS has made their decision on any necessary compensation, and detail on magnitude, cost and timing on any MPA designation or extension delivered by Defra is available, it is prudent for the Applicant to retain the ability to deliver other measures, even in the event there is a lack of agreement with Natural England on those measures the Applicant is proposing to retain. Whilst biogenic reef seeding for compensation to Annex I sandbank would comprise a non-like-for-like measure for Annex I sandbanks, within the IDRBNR SAC, sandbanks and biogenic reef features are often co-located and provide complementary ecosystem services. As such, this measure would support the integrity of the wider National Site Network through supporting the key component communities associated with a combination of sandbank and reef habitats.

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
				will be reached before the end of Examination.		
10	A13	3.1 -Sched. 11, Pt. 2, Cond .22, Pg 130. The condition should require the Site Integrity Plan (SIP) no sooner than 9 months and no later than 6 months prior to commencement of piling	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	D5 - No Change	Condition 22, Part 2 of Schedule 10 and condition 22, Part 2 of Schedule 11 of the draft DCO provide that the SIP should be submitted for approval no later than 6 months prior to the commencement of piling activities. The JNCC, Natural England & DAERA Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs (2020) states (emphasis added): "*when the HRA is carried out there may be considerable uncertainty over project design, schedules and other planned developments. In such cases, a pre-construction condition should be attached to the project approval requiring an assessment to be undertaken prior to initiating the works to determine if the activities and schedules of this project and of others (relevant for the in-combination assessment) are still within the parameters used to reach the HRA conclusions. SNCBs will work with Government and regulators to develop this condition, which will be tested, and amended if needed, as projects progress. There should be enough time between the assessment and the start of construction to allow for the effective implementation of any further mitigation/management considered necessary to satisfy the authorities that the SAC will not be adversely affected…*" In light of the extract from the above guidance, the Applicant does not consider it desirable to include a restriction as to the earliest point at which the SIP should be submitted.
11	A14 & A1	3.1 -Sched. 22 Pt. 1 Cond. 4(b), Pt. 2 Cond. 4(d), Pt. 3 Cond. 4(d), Pt. 4 Cond. 4(h), Pt. 5 Cond 4(e) Marine Recovery	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which	D5 - Issue progressed. Updates provided within version 7 [REP4-007] have included more detail	The Applicant has updated paragraph 4(b), Part 1, paragraph 4(d), Part 2 and paragraph 4(d), Part 3 of Schedule 22 of

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		Fund compensation conditions should be amended to make it clear what will be required when opting for a third-party option, making sure to address the need for monitoring and adaptive management measures to appropriately secure compensation. Natural England has some preferred wording to cover requirements for use of the Marine Recovery Fund.	D3 – No Change D4 – No Change	justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	on requirements. However, do not fully address our original concerns.	the draft DCO to align the requirements relating to the MRF with the WMS and Interim DESNZ guidance published on 31 January 2025. The Applicant maintains that the drafting is appropriate to retain flexibility to account for future evolutions in the strategic compensation framework and avoid unintentionally restricting the Applicant's ability to rely on the MRF. The Applicant notes that Natural England has not provided an explanation as to why their original concerns are not addressed.
12	A15 & A3	3.1. -Sched. 22 Pt. 1 Cond. 4(c) & (d), Pt. 2 Cond. 4(e) & (f),Pt. 3 Cond. 4(e) & (f), Pt. 4 Cond. 4(i) & (j), Pt. 5 Cond. 4(f) & (g). Conditions enabling third party delivery do not include provisions for monitoring or for adaptive management should the compensatory measures not be effective. Natural England suggests these sections require review and amendment to make it clear exactly what will occur should the developer decide to use third party compensation.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 – No Change	The Applicant submitted an updated version of the draft DCO at Deadline 4 which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	D5 - issue progressed. Updates provided within version 7 [REP4-007] have included more detail on requirements. However, do not fully address our original concerns.	The Applicant maintains that the drafting is appropriate and understood that the updates provided at Deadline 4 would have addressed the concerns raised. The Applicant notes that Natural England has not provided an explanation as to why their original concerns are not addressed.
13	A16 & A2	3.1 – Sched. 22 Pt. 1 Cond. 5. Amend the condition to reflect four full breeding seasons for kittiwake in line with compensation requirements for other projects and check the parts securing compensatory measures for other designated features (Sched. 22, Pts.2-5). The amendment should be made to ensure compensation is delivered and is sufficiently functioning prior to impact occurring. However, the wording of compensation requirements may change as discussions on the measures progress.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 - No change. Natural England is aware of the Applicant's change request for kittiwake breeding seasons. D4 - No change. Please see our response to Q2 HRA 2.3 in the second set of Examiners questions located in Appendix K2.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position, including an updated version of Lead-in periods for kittiwake on artificial nesting structures at Deadline 4 (REP4-104), which takes account of comments made by Natural England during consultation. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. The Applicant has provided comments on Natural England's	D5 - No Change	Part 1 of Schedule 22 contains provisions prohibiting the operation of turbines until two full breeding seasons have elapsed following implementation of the measures set out in the approved kittiwake CIMP. This ensures that the overall coherence of the National Sites Network is protected by providing confidence that the impact on kittiwake predicted to arise from the Project will be offset by the end of the Project's operational life. The Applicant has submitted detailed justification, updated to account for Natural England's comments, for the inclusion of this lead-in period in Document 19.11: Lead-in periods for kittiwake breeding on Artificial Nesting Structures (REP4-104).

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
				response to Q2 HRA 2.3 in (document reference 22.2).		
14	A17	3.1 –12. A requirement should be included within the DCO to secure a commitment for an Outline Annex I bird species mitigation plan with the level of detail required securing provisions relating to the geographical definition of the mitigation scheme; a timeframe for the approval process; details of pre-construction surveys and mitigation. The outline mitigation should be agreed with Natural England as part of the consenting process.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No Change D3 – No Change D4 – No Change	The Applicant notes that the cross-reference provided at Deadline 4 should have been to the Applicant's Responses to Relevant Representations at A17 of Table 1.45.2.2 (PD1-071). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position	D5 - No Change	The Applicant has addressed each of Natural England's points in relation to pink-footed goose within Appendix I3 therefore this point can be resolved at Deadline 6. Please refer to The Applicant's comments on Deadline 5 Submissions (document reference 21.3, version 1.0) for details.
15	New Issue D3	Schedule 1 Part 3 Requirement 31. A new requirement has been added that states the submission of a Soil Management Plan (SMP) must accord with the outline SMP. However, the requirement does not stipulate the condition for relevant the Local Planning Authority (LPA) to consult the relevant Statutory Nature Conservation Body (SNCB) on the draft document prior to its approval. Cross reference to Item 45 in Appendix H.	D3 - New issue identified at Deadline 3, refer to Deadline 3 Cover Letter. D4 – No Change	The Applicant submitted an updated version of the draft DCO at Deadline 4 (REP4-006) which incorporated the requested amendment and we therefore hope this will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	D5 - Issue resolved. Natural England welcomes the update [REP4-007] for the relevant planning authority to consult the Relevant SNCB on the SMP	
16	New Issue D4	The Applicant must secure within the DCO/DML that all scour and cable protection deployed must be removable within the IDRBNR SAC and a commitment to remove it upon decommissioning. Currently, this is only included within the cable protection plan.	D4 - New issue identified at Deadline 4, refer to Deadline 4 Cover Letter.	The Applicant has committed to the installation of removable cable protection on the sandbank features of the Inner Dowsing Race Bank North Ridge SAC. That commitment is set out at para 22 of the outline Cable Specification and Installation Plan (REP4-082) and section 3.6 of the outline Scour Protection and Cable Protection Management Plan (REP4-079). On 20 February 2025, the Applicant submitted a Change Notification (AS-032) advising the ExA of its intention to introduce a commitment to the installation of removeable cable protection on	D5 – No Change	The Applicant has committed to the installation of removable cable protection on the sandbank feature and on supporting habitat for the S. spinulosa reef feature of the IDRBNR SAC. That commitment is set out in the outline Cable Specification and Installation Plan (8.5) and section 3.6 of the outline Scour Protection and Cable Protection Management Plan (8.21) and the Applicant understands this commitment is agreed. In relation to Natural England's request for a commitment to remove the cable protection on decommissioning, the Applicant considers that it would be inappropriate to make such a

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Actions, Consultations, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
				defined areas of supporting habitat for S. spinulosa reef within the Inner Dowsing, Race Bank and North Ridge Special Area of Conservation. The Applicant has updated the Outline Specification and Installation Plan (8.5) and the Outline Scour Protection and Cable Protection Management Plan (8.21) to introduce this commitment. Condition 13(1)(d)(ii) and (iii), Part 2, Schedule 11 require a Cable Specification and Installation Plan, which accords with the outline CSIP, and a Scour Protection and Cable Protection Management Plan, which accords with outline SPCPMP, to be submitted to the MMO for approval prior to the commencement of the licenced activities. Condition 14(5) requires that the licensed activities are carried out in accordance with the approved plans. A separate condition securing this commitment on the face of the DCO is therefore unnecessary. In relation to Natural England's request for a commitment to remove the cable protection on decommissioning, the Applicant's considers that it would be inappropriate to make such a commitment at this stage. The undertaker will be obliged under section 109 of the Energy Act 2004 to comply with an approved decommissioning programme. The approval of that decommissioning programme will take into account the status of the environment, in		commitment at this stage. The undertaker will be obliged under section 109 of the Energy Act 2004 to comply with an approved decommissioning programme. The approval of that decommissioning programme will take into account the status of the environment, in light of relevant knowledge, techniques and good practice at the time.

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Actions, Consultations, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
				light of relevant knowledge, techniques and good practice at the time.		
17	New Issue D5	Suitable mitigation from displacement caused by the ORCP for red-throated diver needs to be included within the DCO.			D5 - Issue progressed. Please refer to Appendix F4 at Deadline 4a [REP4a-137] and the cover Letter at Deadline 5. Natural England notes and supports the inclusion of a seasonal restriction for cable laying works or installation of compensation platforms within the Greater Wash SPA. However, we note the restriction should also include a 2km buffer area to the SPA, which the current drafting does not include.	The requested condition has been included as condition 25, Part 2, Schedule 11 of the DCO. The Applicant understands that this matter is therefore resolved.
18	New Issue D5	Within both Schedule 10 and 11 [REP4a-008] Natural England advises that for cable protection a condition should be applied to all DMLs with wording similar to that outlined below, • (1) Not more than 4 months following completion of the construction phase of the authorised scheme, the undertaker must provide the MMO and the relevant statutory nature • conservation bodies with a report setting out details of the cable protection used for the authorised scheme. • (2) The report must include the following information— • (a) location of the cable protection. • (b) volume and area of cable protection; and • (c) any other information relating to the cable protection as agreed between the MMO and the undertaker. • (3) For any subsequent deployments of cable protection following the completion of construction, the undertaker will provide an updated report as defined in (1) and (2) not more				D5 - Pease refer to Appendix A at Deadline 5. Natural England advises that a condition should be applied to all DMLs with wording similar to that outline in Appendix A of our Deadline 5 submission, which for cable protection will require return of information in relation to the as-built scenario, including the location, volume, area and coordinates of the cable protection laid.	The Applicant has updated condition 23, Part 2, Schedules 10 and 11 at Deadline 6 to incorporate the substance of the requested condition. The Applicant considers that this matter should therefore be resolved.

Point	Ref from Appendix A [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix A [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		than 4 months following deployment of the cable protection.				

Table 1.1.2 The Applicant's Current position on PADS matters – DCO & dML

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's D5 Position	The Applicant's Current Position
PADS					
NE19	Natural England has concerned the compensation conditions related to the use of the Marine Recovery Fund or other third-party compensation options, are not sufficient to appropriately secure compensation and revision is needed. Natural England advises the DCO compensation conditions are amended to make it clear what will be required when opting for a third-party option, making sure to address the need for monitoring and adaptive management measures.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please also refer to D4 Cover Letter where Natural England draws the ExA and Applicants attention to the Ministerial Statement issued on 29th January 2025 which confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund.	In relation to Natural England's request for further provision for monitoring and adaptive management to be detailed on the face of the DCO where the Applicant opts to pay in to the MRF, please see ref 11 in Table 1.1.1 above. In relation to Natural England's request for further provision for monitoring and adaptive management to be detailed on the face of the DCO where the Applicant opts to collaborate with a third-party to deliver compensation, please see ref 12 above. The Applicant considers that the update to the draft DCO at Deadline 4 (REP4-006) should resolve this issue. In relation to Natural England's comments at Deadline 4, the Applicant explained at ISH6 that there remains uncertainty around timing, cost, and quantity of any MPA extension as a strategic compensation measure - the Applicant and Natural England's preferred compensation measure should compensation for impacts on the sandbank and biogenic reef features of the IDRBNR SAC be determined to be required by the Secretary of State. Therefore, whilst Natural England may disagree with the Applicant's approach,	D5 - Issue progressed: Please see our benthic compensation advice in Appendix D1 [REP4a-136]. Statutory Nature Conservation Bodies (SNCB's) believe strategic compensation has the greatest likelihood of maintaining the coherence of the National Site Network.	The Applicant has updated paragraph 4(b), Part 1, paragraph 4(d), Part 2 and paragraph 4(d), Part 3 of Schedule 22 of the draft DCO to align the requirements relating to the MRF with the WMS and Interim DESNZ guidance published on 31 January 2025. The Applicant maintains that the drafting is appropriate to retain flexibility to account for future evolutions in the strategic compensation framework and avoid unintentionally restricting the Applicant's ability to rely on the MRF. The Applicant notes that Natural England has not provided an explanation as to why their original concerns are not addressed.

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, and RAG	The Applicant's Deadline 4a Position	Natural England's D5 Position	The Applicant's Current Position
			it is prudent and necessary for the Applicant to retain other appropriate compensation measures which would be deliverable should the MPA extension measure not be available. However, in order to reduce the outstanding issues, the Applicant further explained at ISH6 that it would be narrowing the compensation options that it intends to pursue. A Change Notification was submitted on 20 February 2025 (AS-032) detailing the proposed amendments to Parts 4 and 5 of Schedule 22 of the DCO. These amendments have been reflected in the updated draft of the DCO submitted at Deadline 4a. The Applicant is continuing to seek active engagement with Natural England, however it is unclear whether agreement will be reached on the outstanding matters before the end of Examination.		
NE20	The compensation schedules timing requirements are not sufficient. For Kittiwake they include three full breeding seasons and not four. For all other compensation plans they do not secure that the compensation will be in place and functioning prior to impact. Natural England advises the DCO is amended to make it clear that compensation must be in place and functioning prior to operation.	D1 – No change D2 – No change D3 - No change. Natural England is aware of the Applicant's change request for kittiwake breeding seasons. D4 - No change. Natural England is aware of the Applicant's change request for kittiwake breeding seasons.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position, including an updated version of Lead-in periods for kittiwake on artificial nesting structures at Deadline 4 (REP4-104), which takes account of comments made by Natural England during consultation. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England is currently reviewing the Applicant's documentation regarding kittiwake breeding seasons reduction for the ANS compensation measure and will provide our updated advice at Deadline 6.	Part 1 of Schedule 22 contains provisions prohibiting the operation of turbines until two full breeding seasons have elapsed following implementation of the measures set out in the approved kittiwake CIMP. This ensures that the overall coherence of the National Sites Network is protected by providing confidence that the impact on kittiwake predicted to arise from the Project will be offset by the end of the Project's operational life. The Applicant has submitted detailed justification, updated to account for Natural England's comments, for the inclusion of this lead-in period in Document 19.11: Lead-in

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, and RAG	The Applicant's Deadline 4a Position	Natural England's D5 Position	The Applicant's Current Position
					periods for kittiwake breeding on Artificial Nesting Structures (REP4-104). The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

1.2 B Marine & Coastal Processes

Table 1.2.1 The Applicant's Current position on Risk and Issues matters – Marine and Coastal Processes

Point	Ref from Appendix B [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix B - Marine Physical Processes [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
1	B7	O&M activity in relation to project cable repair and reburial is not well defined. Details of O&M activity should be further considered within [APP-058] 6.1.3 Chapter 3 Project Description.	D1 - No change. The realistic WCS presented in [APP-275] for cable remedial burial and repairs do not appear to have been assessed for impacts to affected marine physical process/environment receptors. D2 – No Change D3 – No Change D4 - No change, Natural England notes there has been no update to the application document. We continue to advise that the potential impacts to marine processes receptors due to cable repair and	The Applicant has submitted information at Deadline 4a which we hope will now allow this issue to now be agreed. Additional text (Impact 6) has been included within the updated Chapter 7 Marine Physical Processes (document reference 6.1.7), submitted at Deadline 4a, to clarify that the assessment considers cable remedial burial and repair during the O&M phase. This was not previously included in Chapter 7 (APP-062) as the Applicant considers, based on	D5 - Issue Resolved. Please refer to Appendix B3 at Deadline 5. The Applicant has included the MDS parameters in the updated ES Chapter 7 [REP4a-151] for potential impacts during operational and maintenance activities, including increases in SSC and potential changes to seabed levels and seabed morphology. This issue is now resolved. Although we advise that these MDS parameters should be taken into account in the relevant assessments for ecological receptors	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix B [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix B - Marine Physical Processes [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			replacement activities had not been fully assessed. To resolve this the Applicant should commit to providing the WCS impact on each affected marine process receptor and assess the impact.	the spatial and temporal scale combined with the likely low frequency of repair and reburial events, that any activities will not be of greater scale than in the MDS assessed and are not considered likely to compound existing pressures. This has now been included as a clarification on the request of Natural England. We await feedback from Natural England to confirm agreement on this issue.	and relevant documents updated where necessary.	
2	B8	There is uncertainty regarding the Maximum Design Scenario (MDS) scour volumes presented. The Applicant should clarify the results of the scour assessment presented for the WTG foundations. The WCS should also be revisited.	D1 - Issue resolved. See our advice in Appendix B1.			
3	B9	Further clarification is required from the Applicant on the WCS parameters for spoil mounds due to sandwave clearance and seabed levelling and where appropriate update the impact assessment.	D1 - Issue Resolved. The Applicant has confirmed that an updated assessment of spoil mounds was carried out based on the revised Maximum Design Scenario (MDS) parameters and used to inform the assessment presented in the ES [APP-062].			
4	B10 & B1	The MDS for increases in Suspended Sediment Concentration (SSC) and consequential changes to seabed level does not consider boulder clearance, pre-lay grapnel run or Unexploded Ordnance (UXO) clearance. The Applicant should consider and assess the MDS for all construction-related	D1 – No Change D2 - No change. Clarification needed on the MDS seabed disturbance parameters for boulder clearance, pre-lay grapnel run and UXO clearance. D3 – No Change	The Applicant position remains as detailed at Deadline 4. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant has had no confirmation from Natural	D5 - Issue Progressed. The Applicant [REP4a-111] has stated that the impacts associated with boulder clearance, UXO clearance and/or pre-lay grapnel run activities are all implicitly considered within the envelope of cable installation activities and consider that there are	The Applicant position remains as detailed at Deadline 4 in that the impacts associated with boulder clearance, UXO clearance and/or pre-lay grapnel run activities are all implicitly considered within the envelope of cable installation activities presented within Section 7.12.1 of

Point	Ref from Appendix B [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix B - Marine Physical Processes [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		activities that may alter SSCs and seabed level.	D4 - No change, Natural England continues to advise that consideration and assessment of the MDS for construction design activities that may alter SSCs and seabed level is undertaken. Natural advises that this provided in the updated environmental statement chapters.	England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	no marine physical process receptors sensitive to SSC and subsequent deposition due to these activities. If the Applicant can provide some indication of these MDS parameters then we may be able to agree with their assumption. Moreover, these MDS parameters may be important for other receptors.	Chapter 7 Marine Physical Processes (REP4a-029) and consider that there are no marine physical process receptors sensitive to SSC and subsequent deposition due to these activities. None of these activities have the potential to cause greater impacts than those activities already assessed (such as sandwave clearance and cable trenching) and are therefore not considered as the worst-case scenario for marine physical processes. Boulder clearance, pre-lay grapnel run activities and/or UXO clearance activities will by their nature be undertaken over the same location as sandwave clearance and cable trenching activities and will disturb a smaller volume of sediment. Furthermore, as elevated SSC is expected to reduce to background levels within several tidal cycles, this process would not be additive given the likelihood that different construction operations will not commence immediately after one another. Finally, the Applicant would note that there are no marine physical processes receptors that are sensitive to elevated levels of SSC, or subsequent deposition. The Applicant considers that there has been a full assessment of the realistic worst-case scenario in relation to potential environmental impacts of the project. The Applicant would highlight that boulder clearance and UXO clearance have been considered, as appropriate, within Chapter 9 Benthic

Point	Ref from Appendix B [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix B - Marine Physical Processes [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						Subtidal and Intertidal Ecology (REP5-019, Impact 1). As stated in Chapter 3 Project Description (REP5-009), pre-lay grapnel run works will take place within the footprint of seabed disturbance (sandwave and boulder clearance).Furthermore, as presented within the updated Cable Specification and Installation Plan [REP4a-097], there is a commitment to '…d*uring boulder clearance activities, where boulders are grabbed and moved*, …' with all reference to a boulder plough being removed. The Applicant therefore maintains their position that the realistic worst-case scenarios have been assessed.
5	B11 & B6	Natural England advises that the MDS parameters for cable protection measures within shallow nearshore waters should be more clearly defined and assessed accordingly.	D1 - Issue Progressed. Please see our Deadline 1 Appendix B1 response. D2 - Our advice remains unchanged since Deadline 1. D3 - No change. Further clarification needed, see Natural England's response to ExA Q1 HRA 1.7 [REP2-074] D4 - In progress: Natural England advises that the maximum cable protection height within shallow nearshore water should not exceed 0.35m height. Natural England also advises the Applicant provides clarification as to whether, in line with the reduction in maximum rock berm height (from 1.5m), there has also been an accompanying reduction in rock berm volume. Once this information is provided,	The Applicant has committed to using concrete mattresses in the nearshore, secured in the updated Outline Scour Protection and Cable Protection Management Plan V2 (document reference 8.21) and Outline Cable Specification Installation Plan (document reference 8.5) submitted at Deadline 4a). Mattresses are a lowprofile cable protection measure, with the design for these provided in Chapter 3 Project Description (APP-058). As such these have been assessed as not having any significant impact on coastal receptors. The Applicant therefore considers that this issue can be	D5 - Issue Progressed. Please refer to Appendix B3 at Deadline 5. Natural England's preference is for the cables to be buried. However, we welcome the commitment made by the Applicant and secured in [REP4a-097] and [REPa-105], to use concrete mattresses (as a final mitigation measure) within the nearshore. However, as advised in deadline 4a Appendix D1 [REP4a-136] further clarification is needed that the MDS nearshore cable protection height is 0.35m (based on the Applicant's rationale), and also the MDS nearshore cable protection length, area and volume. In addition, we advise that further evidence is presented by the Applicant that concrete mattresses will not be	The Applicant has committed to the use of concrete mattresses in the nearshore in addition to the commitment of the nearshore cable protection height to not exceed 0.35 m. This is secured in the (further) updated Outline Scour Protection and Cable Protection Management Plan V5 (document reference 8.21) submitted at Deadline 6). The Applicant are aligned with Natural England in that the preference is for the cables to be buried, as outlined in Section 6.11.5 of Chapter 3 Project Description (REP5-009). The Applicant provided the following clarifications on the nearshore cable protection to Natural England on 25th March 2025: • Length = 2,076 m

Point	Ref from Appendix B [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix B - Marine Physical Processes [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			Natural England will provide further updates on this advice at a suitable deadline	resolved which we anticipate will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	moved in this dynamic environment and/or by fishing activities	• Area = 12,456 m^2 • Volume = 4,359 m^3 The Applicant notes Natural England's concerns regarding the movement of concrete mattresses due to storm events and/ or fishing activities. A typical concrete mattress weighs, approximately, 9.5 to 10 tonnes and its design conforms to industry standards. With regards to fishing, the Applicant has liaised with our specialist consultant who directly liaised with fishermen from the area (05/03/25). It has been indicated that there is an absence of trawlers in the nearshore area. Concrete mattresses are more likely to embed into the seabed thus increasing their stability further. Additionally, ODOW are aware of design optimisations of tapered concrete mattresses increasing stability even further where deemed required. This will be defined in detail design stage post consent. To conclude, the Applicant is very confident that neither storm events nor fishing would impact on the stability or position of concrete mattresses.
6	B12 & B5	Clarify within the OSCMP [APP-295] the MDS as fully detailed in Table 6.18 of [APP-058] for cable protection within the IDRBNR SAC in terms of specific locations, length, seabed footprint, and volume both during construction and over the lifetime of the project. The	D1 – No Change D2 - No Change D3 - No Change D4 - No change. In line with Natural England/ JNCC (2022) best practice guidance, the Applicant should	The Applicant position remains as detailed at Deadline 4. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant has had	D5 - Issue progressed. In the Outline Cable Specification and Installation Plan [REP4-079] the Applicant has provided a percentage of the cable length across the sandbanks and non-sandbank areas within IDRBNR SAC where cable protection may be	The Applicant believes that it has provided sufficient information into the Examination to date based on the information available. The Applicant notes that pre-construction monitoring will be used to confirm placement locations beyond that presented in the

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		Applicant should include reference to other projects within their WCS justification.	endeavour to provide specific locations for cable protection placement within the SAC, the associated Maximum Design Scenario parameters, and rationale for the worst case scenario.	no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	needed, but not an indication of possible placement location, so this is partially resolved. However, we advise that a map should be provided identifying potential placement locations based on current understanding of the ground conditions.	Outline Cable Specification and Installation Plan (V7 submitted at deadline 6, document reference 8.5). Full details, including a map of placement locations, are not currently available and will be informed by detailed engineering design work developed post-consent in consultation with relevant stakeholders. Pre-construction monitoring will supersede any information provided at this stage. Condition 13(1)(d)(iii), Part 2 of the deemed marine licence at Schedule 11 of the DCO requires details of scour protection and cable protection management in accordance with the outline Scour Protection and Cable Protection Management Plan (V7 submitted at deadline 6, document reference 8.5) to be submitted as part of the construction method statement for the approval of the MMO. As Natural England has identified the WCS areas and volumes of cable protection are set out in the outline Scour Protection and Cable Protection Management Plan (V7 submitted at deadline 6, document reference 8.5), with specific reference to the limits set out for the Annex I sandbanks detailed in that document. Any increase from those volumes would require further approval from the MMO and therefore all parties can have confidence that the volumes presented are appropriately secured.

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7	B13	The Applicant should commit to collecting full bathymetric survey data prior to construction to inform the assessment of bedform migration directions to inform scour potential assessment (and thus detailed engineering and project design), to ensure that the ES predictions remain fit for purpose and where they are not adopt the mitigation hierarchy to reduce impacts.	D1 – No Change D2 - No Change D3 - No Change D4 - In progress. See Appendix B2. Natural England welcomes the Applicant confirming to carry out both the pre- and post- bathymetry surveys. However, the details of these commitments will need to be secured within the in-principle monitoring plan [APP-276] for this issue to be resolved. This is to validate the ES predictions and in line with the recommendations of the seabed mobility report, to capture any unexpected changes to seabed morphology and to provide evidence of sandwave recovery and inform the beform migration assessment.	The Applicant has provided a response in Q1 BE 2.2 and BE 2.8, Table 2.2, The Applicant's Comments on Responses to the Examining Authority's Written Questions 2 (document reference 22.2) (submitted at Deadline 4a). Post-construction asset monitoring will be undertaken, as secured in condition 19, Part 2 of the deemed marine licence at Schedule 10 of the DCO. Changes in bedform topography, including scour processes, will be monitored at the post-construction phase, as stipulated within the Offshore In Principle Monitoring Plan (APP-276). An updated In Principle Monitoring Plan has been submitted at Deadline 4a (document reference 8.03 submitted at Deadline 4a) which provides additional information on proposed monitoring in relation to Physical Processes. The Applicant considers that any detailed survey and reporting requirements for pre-and post-construction monitoring is most appropriately discussed post-consent once further Project refinements have been made.	D5 - Issue progressed. The Applicant has committed to monitoring seabed and bedform recovery monitoring in [REP4a-074], which is welcomed and largely resolves this issue although we would wish to see the IPMP consider the need for adaptive monitoring if unforeseen impacts are detected. Similarly, triggers for the development of countermeasures should be clearly stated.	The Applicant notes that as stated in Section 3.1.2 of the updated In Principle Monitoring Plan submitted at Deadline 4a (REP4a-074) '*Final hypotheses and the precise wording will be proposed within the final monitoring plans submitted for approval to the MMO and Natural England prior to construction*'. The Applicant therefore considers that the commitment to monitoring seabed and bedform recovery is sufficient and post consent, the final monitoring plan will be developed and approved by the MMO following consultation with Natural England. The remaining outstanding matters that Natural England has identified are best resolved during the preparation of the monitoring plan post-consent, as required by conditions 13(1)(c), 17, 18, and 19, Part 2, Schedules 10 and 11 of the DCO. The Applicant consider that the assessment provided in Chapter 7 Marine Physical Processes (REP4a-029) has provided a robust assessment of the potential environmental effects on bedforms. The assessment has concluded no significant effects and therefore a commitment to countermeasures is not considered to be necessary.

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				The Applicant has submitted information at Deadline 4a which we hope will allow this issue to now be agreed. We await feedback from Natural England to confirm agreement on this issue.		
8	B14	The Applicant should provide more detailed information regarding the thickness of Holocene/mobile beds across the study area. Further bathymetric survey data should be acquired to refine modelling results and assessment of bedform migration directions and rates.	D1 – No Change D2 - No Change D3 - No Change D4 - No change. Further information has been provided by the Applicant. However, this does not address the need for more detailed information regarding seabed mobility (i.e. mobile sediment layer thickness) and bedform migration directions across the study area. Natural England advises the Applicant provides more information on this matter at Deadline 5. In the meantime please refer to Appendix B2 of our deadline 4 submission.	The Applicant has provided a response in The Applicant's Comments on Deadline 4 Submissions, submitted at Deadline 4a (document reference 22.2). An updated In Principle Monitoring Plan has been submitted at Deadline 4a (document reference 8.03 submitted at Deadline 4a) which provides additional information on proposed monitoring in relation to Physical Processes, including preconstruction monitoring of seabed and bedform presence. The Applicant considers that any detailed survey and reporting requirements for pre- and post-construction monitoring is most appropriately discussed post-consent once further Project refinements have been made. The Applicant's position remains as detailed at Deadline 4. The Applicant believes that it has provided sufficient information into the	D5 - Partially resolved. Please see our advice in appendix B3 at Deadline 5. The Applicant has updated the IPMP [REP4a-074] to include monitoring of changes in bedform topography, including sandwaves and sandbanks along with further monitoring or assessment as may be agreed to ensure that cables have been buried/protected. This is welcomed. However, we advise that the Applicant should commit to carrying out a more detailed bedform migration analysis and seabed mobility study prior to construction. This should also be captured in the OOOMP to ensure post-construction geophysical surveys are used to validate EIA predictions.	The Applicant has provided a response with regard to the mobile bed layer thickness in Row B14, Table 1.45.3.2 of the Applicant's Response to Relevant Representations (PD1-071) and Row 8, Table 1.2.1 of the Risks and Issues Log (REP4a-111). Natural England refer to limitations with the Holocene sediment thickness identified as part of the Seabed Mobility Report (APP-152) in relation to engineering design, not environmental considerations. The Seabed Mobility Report (APP-152) was prepared as a preliminary study to inform engineering and design requirements, and it was not intended either as a comprehensive baseline characterisation of the physical environment, or as an assessment of the environmental effects. The baseline understanding of the marine physical processes within the study area has been developed through consideration of a range of project-specific and existing data sources including Chapter 7 Appendix 3 Seabed Mobility Report (APP-152), as outlined in Section 7.4.2 of Chapter 7 Marine Physical Processes (REP4a-029) and

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				Examination to date which justifies the Applicant's position. The Applicant has had no confirmation from Natural England that the position is agreed, and it is unclear whether agreement will be reached before the end of Examination.		Appendix 7.1 Physical Processes Technical Baseline (As-003). Paragraph 70 of Chapter 7 Marine Physical Processes (REP4a-029) confirms that the availability of robust data relevant for the characterisation and assessment of Marine Physical Processes is such that, despite some data limitations, the available evidence base is sufficiently robust to underpin the assessment presented and a high confidence level is placed on its results. The Applicant considers that the evidence presented in Chapter 7 Marine and Physical Processes (REP4a-142) and the Sandwave Levelling Study (REP3-047) is sufficient to allow the ExA and the Secretary of State to reach a conclusion on the likely significance of the effects of the Project on bedforms. Monitoring should be targeted to address significant evidence gaps or uncertainty, where there is potential for a significant environmental impact. The Applicant do not consider this to be the case, and therefore do not consider monitoring in order to generally validate EIA predictions to be appropriate. The Applicant maintains its position and considers that any detailed survey and reporting requirements for pre- and post-construction monitoring is most appropriately discussed post-consent once further Project refinements have been made.

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						The Applicant notes that as stated in Section 3.1.2 of the updated In Principle Monitoring Plan submitted at Deadline 4a (REP4a-073) '*Final hypotheses and the precise wording will be proposed within the final monitoring plans submitted for approval to the MMO and Natural England prior to construction*'.
9	B15 & B2	There is discrepancy between information provided within [APP-062] 6.1.7 and evidence within [APP-152] 6.3.7.3 Seabed Mobility Report [CONFIDENTIAL]. Information is required to demonstrate how potential changes to the wave regime (due to the presence of the array) have been considered in the assessment of changes to sediment transport processes and bedform migration within the array, over the lifetime of the Project and the impact assessment updated, if required.	D1 - No change. Please also refer to our Deadline 1 Appendix B1 response. D2 - Our advice remains unchanged since Deadline 1. D3 – No Change D4 - In progress. Natural England notes that there are updated figures. However, until these are included in the updated Environmental Statement chapters being submitted at Deadline 5, Natural England cannot assess the scale and significance of the impacts. We therefore cannot advise further to ensure the issue can be resolved.	The Applicant position remains as detailed at Deadline 4. The Applicant has submitted an updated Chapter 7 Marine Physical Processes at Deadline 4a (document reference 6.1.7), including updated figures, which we hope will allow this issue to now be agreed. We await feedback from Natural England to confirm agreement on this issue.	D5 - Partially resolved. Please refer to Appendix B3 at Deadline 5. The Applicant has updated Chapter 7 [REP4a-151], figures, and impact assessment for changes to the wave and tide regimes. These are very welcome. However, our concerns remain regarding the predicted changes to waves and tidal currents may affect sediment transport processes operating on and around the sandbanks/sandwaves within and adjacent to the array, particularly to the west and southwest for the duration of the Project. Furthermore, there remains uncertainty regarding the relative importance of waves and currents in driving morphological change at the sandbank-sandwave systems within and adjacent to the array.	The Applicant maintains its previous position. The effects of the Project on offshore sandbanks within and adjacent to the array area through changes to the wave regime have been fully assessed in Paragraph 173 (magnitude of impact), Paragraph 179 (sensitivity of the receptor) and Paragraph 181 (significance of effect) of the updated Chapter 7 Marine Physical Processes (REP4-029), submitted at Deadline 4a. This confirms that there is limited pathway of effect from blockage effects from the project infrastructure on sandbanks within and adjacent to the array. The sediment mobility results presented in Annex A (REP4a-029) further confirm that sediment transport pathways are not significantly affected by the project infrastructure. As outlined in Appendix 6.3.7.1 Physical Processes Technical Baseline (APP-150), numerous publications (including van der Molen, 2002; Kenyon and Cooper, 2005) identify tidal currents as the dominant mechanism of bedload sediment transport across the wider area, with some areas showing

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						evidence of surge current dominance, which also have the ability to temporarily reverse or reinforce tidally driven sediment transport pathways (TKOWFL, 2011).
10	B16	Inner Silver Pit glacial tunnel valley has not been included as a receptor in [APP-062]. Natural England advises that further consideration of the potential impacts of the Project on Inner Silver Pit is required.	D1 - Issue resolved. The applicant has confirmed in their response this has been assessed in APP-062 and APP-065.			
11	B17 & B2	Is the scheme layout modelled presented in Figures 7.24 to 7.26 actually the realistic WCS, or whether, based on the engineering assessment [APP-152], the realistic WCS is more likely to be a scheme layout where foundations are located away from mobile sandbanks and the larger sandwaves. Further clarification/evidence from the Applicant on hydrodynamic and wave modelling of RWCS inline with the Seabed Mobility Report.	D1 - No change. Please see our Deadline 1 Appendix B1 and comments made in response to the additional modelling carried out due to the changes to the array (and introduction of the ORBA). D2 - Our advice remains unchanged since Deadline 1. D3 – No Change D4 - No change. There remains uncertainty regarding the realistic worst case scenario as modelled. Due to this uncertainty we advise the Applicant will need further information to validate EIA assumptions and conclusions.	The Applicant position remains as detailed at Deadline 4. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant has had no confirmation from Natural England that the position is agreed, and it is unclear whether agreement will be reached before the end of Examination.	D5 - No Change. The Applicant maintains [REP4-113] that the windfarm layout presented in the numerical modelling represents the most realistic WCS, based on currently available information. However, the Seabed Mobility Report [APP-152] suggests there are areas where mitigation by design and avoidance may be needed for the array layout due to high bed elevation changes. The Applicant should confirm whether this is the case.	The Applicant has provided a response in Row B17 and B2, Table 1.45.3.2 of the Applicant's Response to Relevant Representations (PD1-071); B1.2, Table 2, The Applicant's Comments on Deadline 1 Submissions (REP2-053); and Point 11 of Table 1.2 (REP4-113). The Applicant maintains its position and considers that, in accordance with the National Policy Statement (NPS) for Renewable Energy Infrastructure EN-3, the potential windfarm layout as presented in the numerical modelling, represents the most realistic Worst-Case Scenario (WCS) with respect to marine processes (blockage; sites designated for marine process features). Paragraph 3.8.87 of the NPS for Renewable Energy Infrastructure (NPS EN-3; Department for Energy Security and Net Zero (DESNZ), 2023) acknowledges the flexibility required by offshore wind farm development and states:

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						"Owing to the complex nature of offshore wind farm development, many of the details of a proposed scheme may be unknown to the applicant at the time of the application to the Secretary of State. Such aspects may include: *the precise location and configuration of turbines and associated development;* *the foundation type and size..."* As outlined in Paragraph 3.6.2 of NPS EN-3: *"Where flexibility is sought in the consent as a result, applicants should, to the best of their knowledge, assess the likely worst-case environmental [...] effects of the proposed development to ensure that the impacts of the project as it may be constructed have been properly assessed"* (DESNZ, 2023). In accordance with NPS EN-3, the potential windfarm layout as presented in the numerical modelling represents the most realistic WCS based on the currently available information. The identification of the WCS has involved consideration of Marine Physical Processes pathways (e.g. prevailing wave directions, water depths, and proximity to the coast) in addition to considerations out with the topic (e.g. shipping and navigational concerns). The layout was predicated on the basis of full use of the array area (minus the ORBA (PD1-081)), with the WCS for wave and hydrodynamic blockage effects corresponding to an array comprising 100 Wind Turbine

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						Generator (WTG) foundations, 50% of which are slab-based Gravity Base Structure (GBS) foundations, and 50% of which are jackets with suction bucket foundations, in addition to five GBS Offshore Platform (OP) foundations. WTG foundations to the west of the site, closest to shore, were modelled as GBS foundations (rather than suction buckets), in order to assess the greatest potential blockage for coastal receptors. The Applicant consider the modelled layout to appropriately represent a realistic WCS for the purposes of assessment for Marine Physical Processes receptors. The Seabed Mobility Report (APP-152) was prepared as a preliminary study to inform engineering and design requirements, and it was not intended either as a comprehensive baseline characterisation of the physical environment, or as an assessment of the environmental effects. The suggestions of mitigation by design therein have been provided in relation to project design rather than environmental mitigation. The ground models developed for the site to inform final engineering works will continue to be updated as further site data, including deep geotechnical data, is collected prior to construction. As stated in Chapter 3 Project description (REP5-009), the final array layout will be confirmed as part of the final design process and will be submitted to the MMO for approval in

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						consultation with relevant stakeholders.
12	B18, B33 & B3	Provide evidence to support the impact assessment conclusions for changes to seabed morphology and modifications to the wave, tide, and sediment transport regime due to the presence of the Offshore Reactive Compensation Platforms (ORCPs). Further consideration should be given to moving the platform north away from Inner Dowsing Sandbank and the SAC. A balance will need to be sought between SAC impacts and those of the Greater Wash SPA.	D1 - Not resolved. Please see our Deadline 1 Appendix B1 response. D2 - Our advice remains unchanged since Deadline 1. D3 – No Change D4 - No change. More detailed information is needed to support the Applicant's conclusions that modification to the wave and tidal regime and associated potential impacts to seabed morphology (i.e. Inner Dowsing sandbank and the SAC), due to the presence of the ORCPs would be of minor adverse significance.	The Applicant has submitted information at Deadline 4a which we hope will allow this issue to now be agreed. The updated numerical model results previously supplied in PD1-081 and PD1-084 have been included within the updated Chapter 7 Marine Physical Processes (document reference 6.1.7), submitted at Deadline 4a. As stated, the orientation of tidal flows and predominant wave directions mean that there is limited pathway of effect from blockage effects from the presence of the ORCP on the Inner Dowsing sandbank and wider SAC. This is supported by the sediment mobility results presented in Table 6.1 (PD1-084), as well as in the updated Chapter 7, submitted at Deadline 4a. Furthermore, the Applicant submitted a Change Notification (AS-032) on the 20 February 2025 to remove the GBS option for the ORCPs. If accepted, this mitigation measure will further reduce the potential for wave and hydrodynamic blockage impacts beyond that presented.	D5 - Issue progressed. please refer to Appendix B3 at Deadline 5. The GBS option for ORCP foundations has been removed from the project design which reduces the blockage effect. The impact assessment has also been updated in the updated ES Chapter 7 [REP4a-151]. However, more detailed bathymetric and higher resolution wave and tidal current model data for the ORCP/SAC area are needed to inform the impact assessment of potential seabed morphological change.	The Applicant maintains its position. Updated numerical model results have been presented within the updated Chapter 7 Marine Physical Processes (REP4a-029), submitted at Deadline 4a. This modelling is informed by pre-construction bathymetric data covering the Offshore ECC (GEOxyz, 2022), as shown in Figure 4 of the Sandwave Levelling Study (REP3-047). The numerical modelling was carried out using best-practice methods as agreed with Natural England and other stakeholders prior to submission (as outlined in Table 7.2 of Chapter 7 (REP4a-029)). Details of the numerical modelling assumptions including the parameters, data sources and calibration/validation details are provided in Appendix 7.2: Physical Processes Numerical Modelling Report (APP-151). As shown in Figures 7.24 to 7.26 within Chapter 7 Marine Physical Processes Figures Part 2 of 2 (REP4-042) : • Tidal flows are aligned north to south and as such there is limited pathway of effect from the ORCP to the SAC; • Predominant wave directions from the north and northeast towards the coast are such that any modifications to the wave regime occur away from the SAC and in the wave's direction

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				We await feedback from Natural England to confirm agreement on this issue.		of travel. As such there is limited pathway of effect from the ORCP to the SAC. This is supported by the sediment mobility results presented in REP4a-029 Annex A, with the locations of extraction points shown on Figure 7.8 (Chapter 7 Marine Physical Processes Figures Part 1 of 2 (REP4a-041)). Installation of project infrastructure is predicted to result in an increase of 1% (of total time that sediment is mobile) for very fine sand during neap tides at Point 4 (located at the north of the Inner Dowsing sandbank), with no changes in sediment mobility estimated at Point 3 (located to the south of the Inner Dowsing sandbank). The scale of this change is considered to be well within the natural variability of the site and given that it affects fine-grained sediment is unlikely to represent a controlling influence on sandbank form. This is outlined in Paragraph 177 of REP4a-029. The effects arising from modification to the wave and tidal regime and associated potential impacts to seabed morphology resulting from the presence of the ORCPs have been identified as of minor adverse significance (at worst), which is not significant in EIA terms (Section 7.12.2.1 (Impact 4) of Chapter 7 (REP4a-029)). This assessment of minor adverse significance has been therefore been made with due consideration of the proximity of the

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						proposed ORCP area to the Inner Dowsing sandbank. The Applicant further notes that the removal of the GBS option for the ORCP further reduces the wave and hydrodynamic blockage impacts beyond that presented in the updated Chapter 7 Marine Physical Processes (REP4a-029). The siting of the ORCP to the west of the SAC has been undertaken with due regard to H&S, environmental and engineering parameters. As such, the Applicant does not believe that there is a requirement for the collection of more detailed bathymetric surveys or higher resolution wave and tidal modelling data. Therefore, the Applicant believes that all the necessary information required to achieve a robust EIA assessment has been included in the submitted documentation to date.
13	B19 & B4	Impacts from proposed O&M activities detailed in [APP-058 & APP-062] need to be taken account of in relevant environmental assessments as per other stages of the development. O&M related environmental impacts should be reduced through the avoid, reduce, mitigate hierarchy and inform both Project alone and in-combination/cumulative assessments.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England advises that these impacts should be assessed for remedial and maintenance activities which may affect marine process receptors (e.g. seabed morphology).	The Applicant has submitted information at Deadline 4a which we hope will allow this issue to now be agreed. Additional text (Impact 6) has been included within the updated Chapter 7 Marine Physical Processes, submitted at Deadline 4a (document reference 6.1.7), which clarifies that cable remedial burial and repair during the O&M phase	D5 - Issue Resolved. In [REP4a-151] The Applicant has now included the MDS parameters for potential impacts during operational and maintenance activities, including increases in SSC and potential changes to seabed levels and seabed morphology. This issue is now resolved. Although we advise that these MDS parameters should be taken into account in the relevant assessments for ecological receptors	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

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				have been considered in the assessment. This was not included in Chapter 7 (APP-062) previously as the Applicant consider that based on the spatial and temporal scale and likely low frequency of repair and reburial events, they will not be of greater scale than the MDS assessed and as such are not considered likely to compound existing pressures. This has now been included on the request of Natural England. We await feedback from Natural England to confirm agreement on this issue.	and relevant documents updated where necessary.	
14	B20	The Applicant should follow Natural England and Joint Nature Conservation Committee (JNCC) best practice for determining which projects should be included in cumulative assessments and the level of data that is available at each stage.	D1 – No Change D2 - No change. Further clarification has been provided by NE in response to Examiners Questions Q1 BE 2.6 [REP2-074]. D3 – No Change D4 - No change. Please see our response to the ExA Q1 [REP2-074].	The Applicant has provided a response in Q1 BE 2.6, Table 2.2, The Applicant's Comments on Responses to the Examining Authority's Written Questions 2 (document reference 22.2) (submitted at Deadline 4a). The Applicant maintain their position that Planning Inspectorate guidance (PINS Advice Note 17 – Cumulative Effects Assessment now superseded by NSIPs: Advice on Cumulative Effects Assessment (Planning Inspectorate, 2024)) more appropriately identifies best practice in this case. The	D5 - No Change. Please see RIES Q12 and Q.13 responses in Appendix K3 at Deadline 5. Likely that we agree to disagree with the Applicant.	The Applicant maintains its position that Planning Inspectorate guidance (PINS Advice Note 17 – Cumulative Effects Assessment now superseded by NSIPs: Advice on Cumulative Effects Assessment (Planning Inspectorate, 2024)) more appropriately identifies best practice in this case. The Applicant is confident that those plans, projects or activities which have the potential to combine with the Project to have an effect on Marine Physical Processes receptors have been considered appropriately and that there would be no change to the conclusions presented within Chapter 7 Marine Physical Processes should the Natural England Tiering system used.

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				Applicant is confident that those plans, projects or activities which have the potential to combine with the Project to have an effect on Marine Physical Processes receptors have been considered appropriately and that there would be no change to the conclusions presented within Chapter 7 Marine Physical Processes were the Natural England Tiering system used. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has not, as yet, received confirmation from Natural England that the position is agreed. Thus it is unclear whether agreement will be reached before the end of Examination.		
15	B21 & B2	Natural England advises that the seabed mobility assessment for the initial operational period of the wind farm should be revisited to reflect the predicted OWF lifespan of 35 years.	D1 - No change. However, the Applicant has stated that further evidence will be provided as part of a separate Project-specific Sandwave Levelling Assessment that	The Applicant position remains as detailed at Deadline 4. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's	D5 - Issue progressed. Uncertainty remains regarding long-term bedform migration direction and rates and seabed mobility and, in turn, impacts to seabed morphology and scour potential. Therefore, we	The Applicant can confirm that monitoring of seabed and bedform recovery (including sandwaves and sandbanks) will also take place, as detailed within Section 3.1 of the Offshore In-Principle Monitoring Plan

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		And any necessary changes made to the impacts assessments.	will be submitted into the Examination. D2 - Our advice remains unchanged since Deadline 1. D3 – No Change D4 - Natural England will consider the Applicant's response to Q2 GC 1.3, in the second set of Examiners Questions and will advise further at Deadline 5.	position. The Applicant looks forward to receiving Natural England's advice at Deadline 5.	advise that the Applicant should commit to carrying out a more detailed bedform migration analysis and seabed mobility study prior to construction.	(REP4a-073). The Applicants maintains its position and considers that any detailed survey and reporting requirements for pre- and post-construction monitoring is most appropriately discussed post-consent once further Project refinements have been made. The Applicant notes that as stated in Section 3.1.2 of the updated In Principle Monitoring Plan submitted at Deadline 4a [REP4a-074] '*Final hypotheses and the precise wording will be proposed within the final monitoring plans submitted for approval to the MMO and Natural England prior to construction*'.
16	B22	Impacts to the Lincolnshire Coast Submerged Forest LGS should be avoided through careful selection of cable routing or installation techniques, unless it can be clearly demonstrated that the potential impacts will not affect their extent or distribution.	D1 - Issue progressed. The Applicant has confirmed that use of HDD at landfall will avoid interaction with exposures or near-surface layers of submerged forest within the intertidal and out to 500m seaward of MLWS. However, uncertainty remains as to how impacts to other areas of the submerged forest will be avoided. To resolve this issue this commitment to avoid the submerged forest must be secured in a named document or plan such as the CSIP. D2 - No change. Please see our response to Q1 BE 2.2 [REP2-074] for further clarification. D3 – No Change	The Applicant has provided a response in Q1 BE 2.2, Table 2.2, The Applicant's Comments on Responses to the Examining Authority's Written Questions 2 (submitted at Deadline 4a). Based on known exposures of the Lincolnshire Coast Submerged Forest LGS (including at Trusthorpe, Cleethorpes, and Sutton-on-Sea), as well as the relative size of the HDD ducts and the fact that they will avoid interaction with surface features, the Applicant does not consider that the secured avoidance of this feature is practicable or necessary. The Applicant would also note that the	D5 - Issue Progressed. Natural England welcomes the clarification provided in REP4-113 that HDD at landfall will avoid interaction with any exposures or near-surface layers of submerged forest. The Applicant has stated that detailed targeted site investigation will inform the final detailed design and will be carried out prior to construction. To resolve this issue the Applicant will need to commit to avoiding the LGS submerged feature.	The Applicant maintains its position regarding the interaction with the non-statutory designated site, Lincolnshire Coast Submerged Forest LGS. The use of HDD means that interaction with surface features is avoided and in addition to the size of the HDD ducts (1.2 m)(as described in REP5-009) relative to the LGS means that the Applicant does not consider that the secured avoidance of this feature is practicable or necessary. The Applicant highlights the provisions of paragraph 5.4.52 of NPS EN-1, which relates to the Secretary of State's decision making for regional and local sites designated for biological and geological conservation. Para 5.4.52 states:

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			D4 - No change. Natural England advises that provisions for identifying the depth of the submerged forest and ensuring impacts can be avoided must be secured.	designation of Local Geological Site is non-statutory. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination		*"The Secretary of State should give due consideration to regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent."* Paragraph 4.1.16 of NPS EN-1 states that requirements should only be imposed where, amongst other things, they are necessary to make the development acceptable. Paragraph 5.4.52 makes clear that a commitment to total avoidance of the Lincolnshire Coast Submerged Forest LGC is not necessary to make the Project acceptable and therefore such a commitment would fail the test of necessity.
17	B23	Natural England advises liaison with the EA to gain a better understanding of the proposed changes to beach nourishment and implementation of coastal defence measures at landfall. Potential impacts to asset integrity should be assessed for the lifetime of the project, taking into account vertical changes to beach elevation, coastal retreat, and sea level rise. Consideration should also be given to potential sink holes appearing due to unconsolidated sediment layers.	D1 - Issue Progressed. The Applicant has confirmed that they have liaised with the EA, and will continue to do so, post-application and prior to construction. However, uncertainty remains concerning changes to beach management strategy at landfall, future coastal/beach change, and buried asset integrity over the lifetime of the project. D2 - No change. Please see our response to Q1 BE 2.2 [REP2-074] for further clarification. D3 – No Change	The Applicant has provided a response in Q1 BE 2.2, Table 2.2, The Applicant's Comments on Responses to the Examining Authority's Written Questions 2 (document reference 22.2) (submitted at Deadline 4a). As stated at Deadline 4, the Applicant does not consider that coastal change rates in the complete absence of beach nourishment provides a realistic worst-case scenario (WCS) for the purposes of assessment. If beach	D5 - Issue resolved. In [REP4a-111] the Applicant states that detailed methodology and design for the installation under these coastal defence features requires pre-construction approval by the Environment Agency. Furthermore, the EA will consult NE prior to making any approval. The approval process, secured through the DCO, ensures that the installation depth is acceptable to the relevant regulator and in line with agreed parameters. NE is content with this approach and this issue is resolved.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

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			D4 - In progress. Natural England welcomes landfall cable depths of approximately 15-17m and approximately 11-12m deep under the beach. However, to resolve the issue we need this to be secured in a named plan/document. Please refer to Natural England's advice provided in our response to the ExQ1 BE 2.2, Appendix K submitted at Deadline 2 [REP2-074].	management were to be stopped in the area (an unrealistic worst case), the scale of potential changes in the shoreline are such that any effects attributable to the project would be unobservable The installation depths for landfall cables are currently indicative, with the final design requirements informed by the collection of further high-resolution survey data. The Applicant has provided the Environment Agency with the predicted depth information for the installation of the landfall cables under the dunes and beach. The detailed methodology and design for the installation under these coastal defence features requires pre-construction approval by the environment agency, under the Protective Provisions, for the Protection of the Environment Agency, contained in the draft DCO (Document 3.1, Schedule 18, Part 4). The EA will consult NE prior to making any approval. The approval process, secured through the DCO, ensures that the installation depth is acceptable to the relevant regulator and in line with agreed parameters.		

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				The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.		
18	B24	The use of (Horizontal Directional Drilling) HDD at landfall has not been explicitly stated in the Schedule of Mitigation. The Applicant should include HDD at landfall in the Schedule of Mitigation.	D1 - This issue is resolved. this is secured in the DCO in Part 1 of Schedule 1 of the dDCO (3.1) and the Schedule of Mitigation [PD1-059].			
19	B25, B26 & B1	Impact 1: Increase in SSC resulting in elevated turbidity and consequential changes to seabed levels. We do not agree with the conclusion of low magnitude impact, or that all marine process receptors are insensitive to this impact (construction-related increases in SSC, elevated turbidity, and changes to seabed levels). Review the EIA conclusions and the conservation objectives for the IDRBNR SAC and the Greater Wash SPA.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please see our advice in Appendix B2 of our Deadline 4 submission regarding the Applicant's Sandwave Levelling Study [REP3-047].	The Applicant has provided a response in Q1 BE 2.3, Table 2.2, The Applicant's Comments on Responses to the Examining Authority's Written Questions 2 (submitted at Deadline 4a). The Applicant has responded to Natural England's Appendix B2 in The Applicant's Comments on Deadline 4 Submissions (document reference 22.3). The Applicant maintains their position that all Marine Physical Processes receptors are insensitive to increases in SSC resulting in elevated turbidity and consequential changes to seabed levels.	D5 - No change. Uncertainties remain regarding seabed mobility, recovery of bedforms, and sediment transport gradients across the site.	The Applicant maintain their position that all Marine Physical Processes receptors are insensitive to increases in SSC resulting in elevated turbidity and consequential changes to seabed levels. This approach is outlined in Section 7.12.1 of Chapter 7 Marine Physical Processes (REP4a-029) and is in line with industry best practice for Marine Physical Processes. The potential for these changes to impact other EIA receptor (i.e. Non-Marine Physical Processes receptors) is considered elsewhere within the ES, where appropriate. With regard to uncertainties relating to seabed mobility, bedform recovery, and sediment transport gradients, the Applicant assume that this relates to

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				The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.		sediment deposition associated with elevated SSC. The Applicant has provided a response in Q1 BE 2.3, Table 2.11, The Applicant's Comments on Responses to The ExA's Second Written Questions (REP4a-114). The Applicant would note that the formation of spoil mounds from dredge disposal is considered separately within Impact 2 of Chapter 7 (REP4a-029). This assessment is informed by numerical modelling of anticipated activities as presented in Annex B of the Physical Processes Technical Baseline Rev: 2.0 (AS-003). In those areas where disposal mounds are comprised largely of sandy material similar to the surrounding seabed, as in areas of sandwaves, given the prevailing hydrodynamic conditions it can reasonably be expected that the sand will be re-mobilised and reincorporated into the active sediment regime over time. This is supported by evidence provided within the Sandwave Levelling Study (REP3-047), which demonstrates that the Project area is characterised by a dynamic sediment environment that is conducive to the development and maintenance of mobile bedforms. As outlined in the Schedule of Mitigation (REP4-073) and secured in the Outline Cable Specification and Installation Plan (REP4-082), dredged material will be deposited within an area of similar sediment characteristics, in close proximity to

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						the dredge location in order to retain sediment within the sediment transport system (as advised by Natural England in NE Ref 4, Table 1, REP4-136). The Applicant therefore consider the potential impact of sediment disposal on sediment transport and sediment composition to be appropriately addressed within Impact 2 of REP4a-029. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.
20	B27	Impact 2: Potential Impacts to Seabed Morphology. Features of the IDRBNR SAC and other Annex I sandbanks within the array and ECC may be impacted by modifications to seabed morphology due to construction-related activities within the offshore ECC and array area. The conclusions should be revisited with an assessment of impacts to the different marine physical process receptors. See our updated conservation advice (May 2023) for IDRBNR SAC.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please see our advice in Appendix B2 of our Deadline 4 submission regarding the Applicant's Sandwave Levelling Study [REP3-047].	The Applicant has provided a response in The Applicant's Comments on Deadline 4 Submissions, submitted at Deadline 4a. The Applicant position remains as detailed at Deadline 4. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5 - No change. However, we welcome the Applicant's commitment in the IPMP [REP4a-074] to monitor sandwave/sandbank recovery. This monitoring should also be used to validate ES predictions of seabed/bedform recovery and consider the need for adaptive monitoring if unforeseen impacts are detected. Similarly, triggers for the development of countermeasures should be clearly stated.	The Applicant considers that the evidence presented in Chapter 7 Marine and Physical Processes (REP4a-029) and the Sandwave Levelling Study (REP3-047) is sufficient to allow the ExA and the Secretary of State to reach a conclusion on the likely significance of the effects of the Project on bedforms. As stated, monitoring of seabed and bedform recovery (including sandwaves and sandbanks) will also take place, as detailed within Section 3.1 of the Offshore In-Principle Monitoring Plan (REP4a-073).The Applicant notes that as stated in Section 3.1.2 of the updated IPMP submitted at Deadline 4a (REP4a-074) '*Final hypotheses and the precise wording will be proposed within the final monitoring plans submitted for approval to the MMO and Natural England prior to construction*'.

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						Therefore, the Applicant considers that the monitoring is sufficient at this stage, and will be developed post-consent and agreed with the MMO following consultation with Natural England. The Applicant considers the assessment provided in Chapter 7 Marine Physical Processes (REP4a-029) has provided a robust assessment of the potential environmental effects on bedforms. The assessment has concluded no significant effects and therefore a commitment to countermeasures is not considered to be necessary.
21	B28, B33 & B5	Impact 2 Potential Impacts to Seabed Morphology – Use of Cable Protection Measures. We disagree with the impact assessment conclusions owing to the potentially long-lasting change to and/or loss of Annex I sandbank features, and potential change to sediment composition. The Applicant should make all efforts to avoid, reduce and mitigate impacts to IDRBNR SAC. Removable cable protection should be the only type permitted within the SAC. This mitigation measure is not committed to within several of the cable installation documents which still reference rock protection.	D1 – No Change D2 – No change. Please see our Deadline 2 response on ExQ1 HRA 1.5 in Appendix K D3 – No Change D4 - No change. Natural England advises further consideration of mitigation measures is required.	The Applicant position remains as detailed at Deadline 4. The Applicant notes that the use of removeable cable protection on the sandbank feature of the SAC is secured through the Outline CSIP (document reference 8.5) and Outline Scour and Cable Protection Management Plan (paragraph 8 of document reference 8.21). The Applicant awaits the the next version of the Risk and Issues Log submitted by Natural England to review the updated position and determine if agreement is possible.	D5 - Issue progressed. Our concerns remain regarding the placement of cable protection within the SAC which represents a potential lasting change to the sandbank feature and a potential change in seabed composition. The Applicant has committed to using removeable cable protection (as a last resort mitigation measure) on the sandbank features of the SAC [REP4-079] and [REP4-074], but it is not clear if this commitment extends to the non-sandbank SAC features.	The Applicant can confirm that they have committed to the placement of removable cable protection (if cable protection is required) on the sandbank qualifying features of the IDRBNR SAC, in addition to those areas identified as supporting habitat for *Sabellaria spinulosa*. The Applicant has provided a response in Row B5, B28, and B33, Table 1.45.3.2 of the Applicant's Response to Relevant Representations (PD1-071); Q1 HRA 1.5, Table 1.10, The Applicant's Comments on ExQ1 Responses (REP3-054); and Row 21, Table 1.2 of REP4a-111. The commitment to the use of removable cable protection over Annex I sandbank features in the SAC has been made in response to the conservation advice provided by Natural England on

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						the IDRBNR SAC. As outlined in Peritus International Ltd. (2022), removable protection methods such as rock bags and concrete mattresses are able to be removed with only short-term disturbance to the seabed. Winnowing around scour protection measures may occur in areas of high sediment mobility, however due to the dynamic nature of the sedimentary system this is likely to be subject to a feed/removal cycle over the lifetime of the Project, with bedforms recovering to a new equilibrium state over time. The Applicant does not consider that this process, which would take place within the context of the larger scale hydrodynamic and sedimentary conditions acting on the site, would negatively affect the conservation objectives of the SAC. The potential impact with regard to the conservation objectives has been assessed in full in Report to Inform Appropriate Assessment (REP5-101).
22	B29 & B6	Impact 3. Cable protection within the shallow nearshore could interfere with wave energy transmission could affect nearshore sediment pathways and coastal morphology. We disagree with the assessment conclusion as disruption of these processes would have a likely significant effect to coastal SACs and SPAs. Owing to uncertainty regarding MDS for nearshore cable protection and beach management plans, the impact assessment conclusions should be revisited.	D1 - Issue Progressed. See Comments Points 5 & 17. D2 - No change, further clarification is required, please refer to Q1 HRA 1.7 [REP2-074] D3 – No Change D4 - In progress. Natural England advises that the maximum cable protection height within shallow nearshore waters should not exceed 0.35m height. Natural England also advises the Applicant provides	The Applicant has committed to using concrete mattresses in the nearshore, secured in updated Outline Scour Protection and Cable Protection Management Plan (document reference 8.21) and Outline Cable Specification Installation Plan (document reference 8.5). Mattresses are a low-profile cable protection measure, with the design for these provided in Chapter 3	D5 - No Change. Natural England welcomes the Applicant's commitment to use removable concrete mattresses [REP4-083]. However, as advised in Deadline 4a Appendix D1 [REP4a-136] further clarification is needed on the anticipated maximum length of cable protection within the nearshore, location relative to MLWS, and water depth. Anticipated maximum dimensions for the concrete mattresses proposed should be	The Applicant has committed to the use of concrete mattresses in the nearshore in addition to the commitment of the nearshore cable protection height to not exceed 0.35 m. This is secured in the (further) updated Outline Scour Protection and Cable Protection Management Plan V5 (document reference 8.21) submitted at Deadline 6). The Applicant are aligned with Natural England in that the preference is for the cables to be buried, as outlined in Section 6.11.5 of

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			clarification as to whether in line with the reduction in maximum rock berm height (from 1.5m), there has also been an accompanying reduction in rock berm volume. Once this information is provided, Natural England will provide further updates on this advice at a suitable deadline.	Project Description (APP-058), and therefore are not assessed as having any significant impact on coastal receptors. The Applicant therefore considers that this issue can be resolved which we anticipate will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	provided. In addition, we advise that further evidence is presented by the Applicant that concrete mattresses will not be moved in this dynamic environment and/or by fishing activities	Chapter 3 Project Description (REP5-009). The Applicant provided the following clarifications on the nearshore cable protection to Natural England on 25th March 2025: • Length = 2,076 m • Area = 12,456 m^2 • Volume = 4,359 m^3 The Applicant notes Natural England's concerns regarding the movement of concrete mattresses due to storm events and/ or fishing activities. A typical concrete mattress weighs, approximately, 9.5 to 10 tonnes and its design conforms to industry standards. With regards to fishing, the Applicant has liaised with our specialist consultant who directly liaised with fishermen from the area (05/03/25). It has been indicated that there is an absence of trawlers in the nearshore area. Concrete mattresses are more likely to embed into the seabed thus increasing their stability further. Additionally, ODOW are aware of design optimisations of tapered concrete mattresses increasing stability even further where deemed required. This will be defined in detail design stage post consent. To conclude, the Applicant is very confident that neither storm events nor fishing would impact on the

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						stability or position of concrete mattresses.
23	B30 & B6	Impact 4: Modifications to the Wave and Tidal Regime and Associated Potential Impacts to Morphological Features (O&M). We advise that there is a pathway of effect for this impact on coastal receptors if cable protection is used in the nearshore. Natural England advises that the Applicant should revisit their assessment of receptor sensitivity for coastal receptors. Please also refer to our advice above.	D1 - Issue Progressed. See Point 5. D2 - Our advice remains unchanged since Deadline 1. D3 – No Change D4 - No change. Natural England continue to advise that further information is needed on the worse case scenario parameters for cable protection measures within the shallow nearshore.	The Applicant has committed to using concrete mattresses in the nearshore, secured in updated Outline Scour Protection and Cable Protection Management Plan (document reference 8.21) and Outline Cable Specification Installation Plan (document reference 8.5). Mattresses are a low-profile cable protection measure, with the design for these provided in Chapter 3 Project Description (APP-058), and therefore are not assessed as having any significant impact on coastal receptors. The Applicant therefore considers that this issue can be resolved which we anticipate will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	D5 - No change. Please refer to our advice in Deadline 4a Appendix D1 [REP4a-136]. We welcome the Applicant's commitment in [REP4-079, REP4-0774 and REP4-083] to use of removable concrete mattresses as cable protection (as a final mitigation measure) in the nearshore. However, clarification is needed on the anticipated maximum length of cable protection across the nearshore (relative to MLWS), water depth, cable protection height, footprint, and volume, to address our concerns in relation to disruption to sediment transport. In addition, we advise that further evidence is presented by the Applicant that concrete mattresses will not be moved in this dynamic environment and/or by fishing activities	The Applicant has committed to the use of concrete mattresses in the nearshore in addition to the commitment of the nearshore cable protection height to not exceed 0.35 m. This is secured in the (further) updated Outline Scour Protection and Cable Protection Management Plan V5 (document reference 8.21) submitted at Deadline 6). The Applicant are aligned with Natural England in that the preference is for the cables to be buried, as outlined in Section 6.11.5 of Chapter 3 Project Description (REP5-009). The Applicant provided the following clarifications on the nearshore cable protection to Natural England on 25th March 2025: • Length = 2,076 m • Area = 12,456 m^2 • Volume = 4,359 m^3 The Applicant notes Natural England's concerns regarding the movement of concrete mattresses due to storm events and/ or fishing activities. A typical concrete mattress weighs, approximately, 9.5 to 10 tonnes and its design conforms to industry standards. With regards to fishing, the Applicant has liaised with our specialist consultant who directly liaised with fishermen from the area (05/03/25). It

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						has been indicated that there is an absence of trawlers in the nearshore area. Concrete mattresses are more likely to embed into the seabed thus increasing their stability further. Additionally, ODOW are aware of design optimisations of tapered concrete mattresses increasing stability even further where deemed required. This will be defined in detail design stage post consent. To conclude, the Applicant is very confident that neither storm events nor fishing would impact on the stability or position of concrete mattresses.
24	B31	Impact 5: Seabed Scouring. within the array and ECC. There is the potential for scour (or secondary scour) and removal of seabed sediments due to the presence of cable/scour protection measures and/or cable exposures. The Applicant should consider and assess the potential for secondary scour impacts to marine processes receptors (e.g. IDRBNR SAC, Annex I sandbanks etc).	D1 – No Change D2 - No change. Please refer to Q1 BE 2.8 [REP2-074]. D3 – No Change D4 - No change. Further consideration is required by the applicant in regards to both scour and secondary scour.	The Applicant has provided a response in Q1 BE 2.2 and BE 2.8, Table 2.2, The Applicant's Comments on Responses to the Examining Authority's Written Questions 2 (document reference 22.2) (submitted at Deadline 4a). The Applicant consider that a robust assessment of the potential impact of seabed scouring on Marine Physical Processes receptors has been presented within Section 7.12.2.2 Chapter 7 Marine Physical Processes (document reference 6.1.7), Impact 5). Post-construction asset monitoring will be undertaken, as secured in condition 19, Part 2 of the deemed marine licence	D5 - Issue progressed. We welcome the Applicant's commitment to monitor scour in the updated IPMP [REP4a-074]. However, we advise that the Applicant should consider the need for adaptive monitoring if observations of scour (or secondary scour) are found to be significantly greater than predicted in the ES. This monitoring should also be adequately captured in the OOOMP [REP4-093] to ensure that post-construction geophysical surveys are used to validate assessments made within the ES.	The principle of adaptive monitoring is embedded in the Offshore IPMP at paragraph 9 which states that one of the guiding principles of the Applicant's monitoring proposals is that: "*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*." The Applicant considers that any detailed survey and reporting requirements for pre- and post-construction monitoring is most appropriately discussed post-consent once further Project refinements have been made.

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				at Schedule 10 of the DCO. Changes in bedform topography, including scour processes, will be monitored at the post-construction phase, as stipulated within the Offshore In Principle Monitoring Plan (document reference 8.03, submitted at Deadline 4a). An updated In Principle Monitoring Plan has been submitted at Deadline 4a (document reference 8.03, submitted at Deadline 4a) which provides additional information on proposed monitoring in relation to Physical Processes. The Applicant considers that any detailed survey and reporting requirements for preand post-construction monitoring is most appropriately discussed post-consent once further Project refinements have been made. The Applicant has submitted information at Deadline 4a which we hope will allow this issue to now be agreed. We await feedback from Natural England to confirm agreement on this issue.		Post-construction asset monitoring will also be undertaken, as secured in condition 19, Part 2 of the deemed marine licence at Schedule 10 of the DCO. Changes in bedform topography, including scour processes, will be monitored at the post-construction phase, as stipulated within the Offshore IPMP. Further, the Applicant notes that as stated in Section 3.1.2 of the updated IPMP submitted at Deadline 4a [REP4a-074] '*Final hypotheses and the precise wording will be proposed within the final monitoring plans submitted for approval to the MMO and Natural England prior to construction*'.

Table 1.2.2 The Applicant's Current position on PADS matters – Marine and Coastal Processes

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
PADS					
NE2	Natural England is unable to rule out impacts to The Wash and North Norfolk Coast SAC, The Wash SPA, The Wash Ramsar and The Wash SSSI. This is due to potential disruption of wave energy transmission, nearshore sediment pathways, and coastal morphology, due to the presence of cable protection within the shallow nearshore zone perpendicular to longshore sediment transport. Natural England advises that cable protection should be avoided in shallow nearshore areas. We advise the Applicant should clarify the Maximum Design Scenario (MDS) for cable protection within shallow nearshore water and revisit their impact assessment conclusions.	D1 - Progressed. Please see our Deadline 1 Appendix B1 and R&I Log Tab B. Concerns remain in relation to feasibilty of Applicant's proposal to address our concern D2 - Progressed. But further information required re proposed mitigation measures D3 - Progressed, but still need further clarification on the Maximum Design Scenario (MDS) for cable protection in the shallow nearshore. Please refer to Q1 HRA 1.7 (DOC ref). D4 - Progressed. The Applicant has stated that cable protection in the nearshore will not take the form of 1.5m high rock berms, which we welcome. However, we seek clarification that maximum cable protection height within shallow nearshore water will not be greater than 0.35m high. We also seek clarification as to whether, in line with the reduction in maximum rock berm height (from 1.5m), there has also been an accompanying reduction in rock berm volume.	The Applicant has committed to using concrete mattresses in the nearshore, secured in updated Outline Scour Protection and Cable Protection Management Plan (document reference 8.21) and Outline Cable Specification Installation Plan (document reference 8.5). Mattresses are a low-profile cable protection measure, with the design for these provided in Chapter 3 Project Description (APP-058), and therefore are not assessed as having any significant impact on coastal receptors. The Applicant therefore considers that this issue can be resolved which we anticipate will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	D5 - Progressed. Natural England's preference is for the cables to be buried. However, we welcome the commitment made by the Applicant and secured in [REP4-083] and [REP4-079], to use concrete mattresses (as a final mitigation measure) within the nearshore. However, we advise that further clarification is needed that the MDS nearshore cable protection height is 0.35m (based on the Applicant's rationale), and also the MDS nearshore cable protection length, area and volume.	The Applicant has committed to the use of concrete mattresses in the nearshore (if required) in addition to the commitment of the nearshore cable protection height to not exceed 0.35 m. This is secured in the (further) updated Outline Scour Protection and Cable Protection Management Plan V5 (document reference 8.21) submitted at Deadline 6). The Applicant are aligned with Natural England in that the preference is for the cables to be buried, as outlined in Section 6.11.5 of Chapter 3 Project Description (REP5-009). The Applicant provided the following clarifications on the nearshore cable protection to Natural England on 25th March 2025: • Length = 2,076 m • Area = 12,456 m^2 • Volume = 4,359 m^3

1.3 C Benthic & Intertidal Ecology

Table 1.3.1 The Applicant's Current position on Risk and Issues matters – Benthic and Intertidal Ecology

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
1	C11, C46, C60 & C5	Clarification is required on the cable protection design within and outwith the IDRBNR SAC and whether additional protection over the project lifetime, or secondary scour has been included for the maximum design scenario (MDS)/ worst case scenario (WCS). Update the Scour and Cable Protection Management Plan [APP-295] and RIAA [APP-235] with the WCS. DCO/DML restrictions may be required to ensure the WCS within the SAC hasn't been exceeded during construction.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. The Applicants response in [PD1-071] and to [REP3-054] clarifies the WCS for further cable and scour protection due to exposures and/or secondary scour within IDRBNR SAC is through the project lifetime. See our response to ExA Questions 1 [REP2-074] concerning need to ensure transparent justification for the WCS drawing upon previous experience and available information about the ground type along the ECC route. We advise the ExA the Applicant should update the Scour and Cable Protection Management Plan [APP-295] and RIAA to reflect the WCS scenario and specifically for IDRNBR SAC include descriptive and tabulated details of WCS cable length and volume both within and outwith the SAC and separately for the Sandbank	The Applicant notes that the breakdown requested by Natural England was provided within Chapter 3: Project Description (APP-058), which was the basis for the assessments. Both the Outline SPCPMP (REP4a-105) and RIAA (REP4-030) cross refer to (REP-058) and as such, the breakdown of parameters is considered sufficiently secured. The Applicant also highlights that it has undertaken an assessment of supporting habitat for *S. spinulosa* reef within the Offshore ECC that crosses within the IDNRRB SAC. The assessment was provided to Natural England on the 18th February 2025 and the Applicant is looking to engage with Natural England to seek agreement on the methodology that would inform any commitment. The assessment has been submitted to the examination as a technical note at this Deadline,	Issue progressed. Please refer to Appendix D1 [REP4a-136] regarding clarification on the WCS/MDS. Please also refer to Appendix C6 at Deadline 5. Outstanding concerns remain in relation to impacts from cable protection within the SAC.	The Applicant considers this matter to be resolved. Please view The Applicant's Comments on Natural England's Appendix D1 - Natural England's Advice on Benthic Compensation and Mitigation (REP5-150), which provides the response to clarification being sought on the WCS/MDS and are summarise below: i) The Applicant can confirm there will be four export cables buried within four separate trenches across the offshore ECC, including the area that crosses the IDRBNR SAC. There could be up to 6 interlink cables across the Array Area. ii) The Applicant can confirm that the figures noted by Natural England align with the Project's consideration for Worst Case Scenario for the Annex I sandbank features within the SAC. The figures have been calculated based on the use of removable remedial protection methods, using concrete mattresses as an example, which typically measure 6m x 3m in footprint. A detailed breakdown of the figures is provided below:

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			feature and remaining SAC as required.	(Deadline 4a, 26th February 2025). Based on this assessment the Applicant has included a commitment to the installation of removeable cable protection on the defined areas of supporting habitat for *S. spinulosa* reef within the IDRBNR SAC as further mitigation for the impacts of the Project on the IDRBNR SAC at this deadline, Deadline 4A. The Applicant has updated the Outline Cable Specification and Installation Plan (REP4a-097) and the Outline Scour Protection and Cable Protection Management Plan (REP4a-105) to introduce this commitment. The Applicant received feedback from Natural England on 24 February 2025 which it is considering.		

Calculation Step Description	Value	Unit
Number of Cables	4	each
Length of transit for each cable through each Annex Sandbanks (both same width)	4000	m
Length of transit for each cable through both Annex 1 Sandbanks	8000	m
Total Cable length in Annex 1 Sandbanks	32000	m
5% of total length	1600	m
Anticipated number of mattresses required	266.6667	each
Anticipated each mattress footprint	18	m^2
Total footprint within Annex I Sandbanks	4800	m^2
20% allowance for installation accuracy and slippage	960	m^2
Total footprint for both sandbanks	**5760**	**m^2**
Total footprint for each sandbank (half of above)	**2880**	**m^2**

iii) The Applicant can confirm that 227,556m^2 is the correct figure, this has been updated in Chapter 3 Project Description (REP5-008), RIAA (document reference 7.1, updated at Deadline 6) and Chapter 9 benthic and Intertidal Ecology (REP5-019) at Deadline 5.

iv) The Applicant has submitted their interpretation of the supporting habitat for S. spinulosa to Natural England for review, seeking agreement on the interpretation of the methodologies involved (*Sabellaria spinulosa* Reef Supporting Habitat Technical Note, (document reference 22.11), V3 updated at deadline 6) and are awaiting final confirmation on the Applicant's interpretation of methods from Natural England. However, based on the latest comments from Natural England (received, 24 February 2025) the Applicant anticipates that the offshore export cables will cross an area of supporting habitat which would total approximately 75% of the area outside Annex I sandbank features within the IDRBNR SAC and approximately 25% of

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						the area would be classified as non-supporting habitat. Based on this percentage split, 170,667m2 of 227,556m2 would interact with supporting habitat for S. spinulosa reef. However, it should be noted that the Applicant has committed to installing removable cable protection within areas identified as potentially supporting habitat for S. spinulosa reef, and these original area figures are based on the use of rock protection which has a larger footprint. In addition to clarifications above, the Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6). Natural England approved our interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below.

Calculation Step Description	Value	Unit
Number of Cables	4	each
Length of transit for each cable through Supporting Habitat	16562.5	m
Length of transit for all cables through Supporting Habitat	66250	m
20% of total length	13250	m
Number of mattresses required (rounded up)	4417	each
Each mattress footprint	18	m2
Footprint within Supporting Habitat	79506	m2
20% allowance for installation accuracy and slippage	15901.2	m2
Total Footprint for Supporting Habitat	**95407.2**	**m2**
Total volume for Supporting Habitat (0.35m high)	**33392.52**	**m3**

2	C14	More detail is required on permitted Operations and Maintenance (O&M) activities	D1 – No Change D2 – No Change	The Applicant has updated the Outline Offshore Operations and	Issue progressed. Please refer to Appendix C6.	Please refer to The Applicant's Comments on Natural England's Appendix C6 - Natural England's Advice on documentation submitted and updated at Deadline 4 and 4a (REP5-164) and within The Applicant's Comments

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		over the lifetime of the project within the ECC, especially within IDRBNR SAC. A new marine licence will be required for any further protection during the project lifetime.	D3 – No Change D4 - No change. To resolve this issue Natural England advises further details are provided within the O&M Plan as requested in our relevant representations [RR0-45] and further mitigate down the impacts in line with our position statement on cable protection with benthic MPAs. DML condition 21 secures that cable protection may only be deployed up to 10 years post construction. This is in conflict with what is stated within the OOMP [APP-275], we advise this is clarified.	Maintenance Plan at Deadline 4a (REP4a-093). The Applicant has also provided a response (REP4a-115) to Natural England's Deadline 4 submission Appendix C5 Comments on cable protection assessment for offshore windfarms and inclusion in marine licenses (REP4-138). The Applicant maintains that the inclusion of Condition 21 in Schedule 10 and 11 of the draft DCO allowing cable protection to be placed for up to 10 years following construction is appropriate and fully within the assessment of the worst-case scenario. Furthermore, the Applicant notes that the MMO note in their Deadline 4 submission (REP4-129) that the inclusion of a 10-year period for cable protection deployment post-construction is becoming standard in DCOs. The Applicant therefore believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to	Outstanding concerns remain in relation to impacts from cable protection within the SAC	on Deadline 4 Submissions (REP5-150), which provides the response to concerns regarding the Outline Offshore Operations and Maintenance Plan (REP4a-093). The Applicant is confident that it has provided a robust, detailed assessment of the full lifetime effects of the deployment of cable protection up to the footprints set out within APP-058, and secured within the DCO (document reference 3.1, V10, submitted at Deadline 6), within the RIAA (document reference 7.1, V5, submitted at Deadline 6). The Applicant is confident that the conclusion of no potential for an AEoI is robust. The Applicant considers that this assessment fully covers the eventualities of all consented cable protection being deployed during the construction phase, or where not all was required during construction, further deployment if required during the O&M phase up to the totals assessed. The impacts assessed within the RIAA would not be different or any greater (and likely would be lessened for habitat disturbance) than as set out within the RIAA. As such, the Rochdale Envelope for the Project includes for the deployment of cable protection during the O&M phase, as well as within the construction phase. The Applicant has proposed condition 21 of Schedules 10 and 11, limiting the duration of the consent for deployment of cable protection after construction to 10 years to align with the preference of the MMO and Natural England for 10-year licences.

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
				seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.		
3	C12 & C10	Without an outline decommissioning plan a realistic WCS can't be determined especially in relation to impacts from cable protection. Natural England advises that an outline decommissioning plan in provided.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. The Applicant's response in PD1-071 is noted. Natural England continues to advise an Outline Decommissioning Plan is submitted into Examination. In relation to benthic concerns we continue to advise that all cable protection including any related scour protection within IDRBNR SAC should be removable and removed at the time of decommissioning.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position as stated in row 2. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	Issue progressed. Natural England continues to advise an Outline Decommissioning Plan is submitted into Examination. We welcome the Applicant's commitment for removable cable protection in areas of supporting habitat for Annex I *Sabellaria spinulosa* reef.	The Applicant notes this comment and maintains its position that an outline Decommissioning Plan is not necessary, as set out at 1.3.19 in Table 4 of the Applicant's Comments on Deadline 4 Submissions (REP4a-115). This position is also provided below. The Applicant notes that the MMO has not provided any indication of the content of the outline Decommissioning Plan or an explanation as to why they consider an outline Decommissioning Plan to be necessary. The Applicant's view is that it is not necessary for an Outline Decommissioning Plan to be provided pursuant to the consenting process under the Planning Act 2008, as the decommissioning process for offshore renewable energy installation farms is controlled by the Energy Act 2004. Section 105 of the Energy Act 2004 requires that the Secretary of State may, by notice, require a decommissioning programme for a renewable energy installation, to include the details set out in that section. In reflection of this, the Draft Development Consent Order (document reference 3.1, V10, submitted at Deadline 6) provides, at Schedule 1 (the Authorised Project) Part 3 (Requirements), requirement 7, that no offshore works are to commence until a written decommissioning programme in compliance with any notice served upon the undertaker by the Secretary of State pursuant to section 105(2) of the Energy Act 2004 has been submitted to the Secretary of State for approval. This approach is consistent with recently as made offshore wind farm DCOs, including The East Anglia ONE North Offshore Wind Farm Order 2022, The East Anglia TWO Offshore Wind Farm Order 2022 and The

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						Awel y Môr Offshore Wind Farm Order 2023. It is also consistent with the terms of National Policy Statement EN-3 (paragraphs 2.8.88 and 2.8.89). The Applicant notes that the MMO is reviewing this request and has discussed this further with the MMO at the meetings on 20 and 24 February 2025. The Applicant wishes to highlight the importance of timely comments and responses so that issues can be resolved within the Examination.
4	C13 & C10	It is unclear what the process will be for boulder clearance and repositioning within the IDRBNR SAC and how the project will minimise the impacts of this activity on sensitive features within the site. Mitigation measures should be adopted to minimise the impacts of this activity to Annex I feature within IDRBNR SAC. The project should present a plan for review.	D1 – Issue progressed. Please see our Deadline 1 Appendix C1 D2 – No Change D3 – No Change D4 - No change. The commitment within the Schedule of mitigation [PD1-059], Outline Biogenic Reef Mitigation Plan [PD1-067] and Outline Cable Specification Installation Plan (CSIP) [PD1-043] to microsite boulders around biogenic reef is welcomed. The commitment within PD1-059 and PD1-43] to move boulders to an area of similar habitat is welcomed. However, our advice provided at Appendix C1 [REP1-059] in relation to impacts to marine processes remains.	The Applicant is pleased to see that Natural England welcome the commitments made. In response to Natural England's concern in (REP1-059), the Applicant confirmed in Table 3 of (REP2-053) that there is no effect to physical processes from the placement of boulders in an area of similar habitats. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	Issue resolved. Natural England notes within the updated Cable Specification and Installation Plan [REP4a-097] Section 5.2 Para. 22 that there is a commitment to *'…During boulder clearance activities, where boulders are grabbed and moved, boulders will be placed nearby in an area of similar habitat and all areas of known S. spinulosa reef within the Inner Dowsing, Race Bank and North Ridge SAC will be avoided; outside of the SAC, boulder placement will avoid any biogenic reef, where practicable…'* with all reference to a boulder plough being removed. We request that all	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
					documents are also updated to reflect this commitment.	
5	C15	We are unable to ascertain from an ecological perspective that cables can be optimally buried. We advise that the Cable Burial Risk Assessment (CBRA) [APP-0142] is updated from an ecological perspective using geophysical and geotechnical data and this should be cross referenced with the CSIP [APP-278]	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England seeks updates within the CBRA with respect to nature conservation, specifically with regards to assurances that commitments to optimal burial within the IDRBNR SAC can be achieved while reducing impacts to site features. The document as written only considers cable burial options from an engineering perspective. To progress this issue we advise consideration is provided within the CBRA.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination. In summary, the Applicant's the Response to Relevant Representations (PD1-071) stated: The Applicant notes that a Cable Burial Risk Assessment is a study undertaken specifically to inform engineering appraisals of the potential for achieving cable burial, considering the soil types and tools which may be used. It can also consider the vessel types, specifically	No change. No further update received from the Applicant at Deadline 4 or 4a.	No change, the Applicant provided the response to Relevant Representations (PD1-071) stated, as presented in the Applicant's Deadline 4a position. The Applicant's preference is for cables to be buried, as this approach minimises potential impacts on the IDRBNR SAC Annex I features.

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				the anchors of such vessels, which transit over the cable route to inform a recommended target burial depth to reduce the risk of damage to assets. A CBRA is not intended to specifically map out environmental factors and consider how this may affect burial as it does not consider specific cable routes, rather considers the risk profile of the corridor. A full CBRA will be undertaken prior to the construction of the Project, based on further geotechnical and geophysical information gathered during the pre-construction surveys. Relevant information from these plans will be shared with Natural England, with the final Plans to be submitted to and approved in writing by the MMO, including the CSIP (as set out within the Outline CSIP (REP4a-097)		
6	C16, C17, C18, C19, C20, C21 & C1	Applicant to re-examine the existing data, analytical approach and methods which have been used to provide a baseline [APP-155] of the extent and distribution of	D1 - Issue progressed. Please see our Deadline 1 Appendix C1 response. D2 – No Change D3 – No Change	The Applicant has provided further clarification on this Issue in the updates to ES Chapter 9 Appendix 2 Benthic Ecology Technical Report (ECC) (REP4a-069)	Issue resolved. The report now includes adequate additional information and clarification sufficient to address Natural	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		Annex I S. spinulosa reef. Evidence is required to provide the necessary confidence that pre-construction surveys, project mitigation and, where necessary, compensation requirements will be effectively targeted and implemented at the appropriate scale.	D4 - Issue progressed. Please refer to Appendix C4 for our advice at D4. As the main body of the report has not been updated, a paragraph at the start of the document signposting the appendix should be added at the beginning of the document . This will ensure the context and clarifications will not be missed when relied upon post consent. Once the document is update, the issue can be resolved.	and the Offshore Export Cable Corridor *S. spinulosa* Reanalysis (REP4a-070) submitted at Deadline 4A and we understand from on-going discussion that this Issue is resolved which we anticipate will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	England's previous comments.	
7	C22, C23, C24, C25, C26, C27 & C1	Envision Data Analysis [APP-158] does not address concerns relating to the adequacy of methods and interpretation for determining the presence of Annex I S. spinulosa reef. Our comments to the EBS [APP-155] and Envision report [APP-158] should be considered in a review of the available data. Further information and evidence are required to demonstrate that the extent and distribution of Annex I *S. spinulosa* reef, particularly within the IDRBNR SAC, has been robustly determined and the precautionary principal applied.	D1 - Issue progressed but not resolved. Please see our Deadline 1 Appendix C1 response. D2 – No Change D3 – No Change D4 - Issue Progressed. Please refer to Appendix C4 for our detailed advice. As the main body of the report has not been updated, a paragraph at the start of the document signposting the appendix should be added at the beginning of the document. This will ensure the context and clarifications will not be missed when relied upon post consent and the issue	The Applicant has provided further clarification on this Issue in the updates to ES Chapter 9 Appendix 2 Benthic Ecology Technical Report (ECC) (REP4a-069) and the Offshore Export Cable Corridor *S. spinulosa* Reanalysis (REP4a-070) submitted at Deadline 4A and we understand from on-going discussion that this Issue is resolved which we anticipate will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	Issue resolved The report now includes adequate additional information and clarification sufficient to address Natural England's previous comments.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			would be considered resolved			
8	C28	In response to Natural England S42 comments, the Applicant states that *S. spinulosa* was only found 'intermittently along a single camera transect'. This statement is incorrect and requires removal. *Sabellaria spinulosa* was observed along multiple video transects as per the ECC EBS [APP-155].	D1 - The Applicant confirms this error has not been carried through the assessments and therefore no further action is required.	Issue resolved.		Issue resolved.
9	C29, C42, C1 & C2	The Applicant's conclusion of 'no significant impacts in EIA terms' on *S. spinulosa* Reef are not scientifically robust and require revisiting following a more appropriate review of the data available as per our accompanying comments.	D1 - Progressed: Please see our Deadline 1 Appendix C1 response. D2 – No Change D3 – No Change D4 - Issue progressed. Natural England's concerns regarding the technical data are resolved. Natural England will provide further update following the Applicant's response to our Deadline 3 submissions Appendix C2 [REP3-067] and Appendix C3 [REP3-068] concerning supporting habitats and processes for Annex I Sabellaria spinulosa reef.	The Applicant maintains that the conclusions previously drawn within the RIAA (REP4-030) are robust and support a conclusion of no AEoI. However, the Applicant highlights that it has undertaken an assessment of supporting habitat for *S. spinulosa* reef within the Offshore ECC that crosses within the IDNRRB SAC. The assessment was provided to Natural England on the 18th February 2025 and the Applicant has requested a meeting in advance of Deadline 4a with Natural England to seek agreement on the methodology that would inform any commitment. The assessment has been submitted to the	Issue progressed. Please refer to our advice in Appendix C6 at Deadline 5. Natural England has provided advice directly to the Applicant on their *Sabellaria spinulosa* reef supporting habitat Technical Note [REP4a-122]. We will provide further advice to the updated document expected to be submitted by the Applicant at Deadline 6 .	The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6). Natural England approved the Applicant's interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below. **Calculation Step Description / Value / Unit** Number of Cables: 4 each Length of transit for each cable through Supporting Habitat: 16562.5 m Length of transit for all cables through Supporting Habitat: 66250 m **20%** of total length: 13250 m Number of mattresses required (rounded up): 4417 each Each mattress footprint: 18 m2 Footprint within Supporting Habitat: 79506 m2 20% allowance for installation accuracy and slippage: 15901.2 m2 Total Footprint for Supporting Habitat: **95407.2 m2** Total volume for Supporting Habitat (0.35m high): **33392.52 m3**

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				examination as a technical note at this Deadline, (Deadline 4a, 26th February 2025). Based on this assessment the Applicant has proposed a commitment to the installation of removeable cable protection on the defined areas of supporting habitat for *S. spinulosa* reef within the IDRBNR SAC as further mitigation for the impacts of the Project on the IDRBNR SAC at this deadline, ,Deadline 4A ,(subject to the ExA's confirmation that this should not be treated as a change - See change notification submitted by the Applicant on 20th February 2025 (AS-032)). The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		The Applicant awaits Natural England's final position at Deadline 6. However, the Applicant has updated the without prejudice compensation case to include the quantification of impact to Annex I supporting habitat. The following documents have therefore been updated and submitted at Deadline 6. • Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6); and • Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6).
10	C30, C43 & C3	The sandbank communities have not been attributed EUNIS/Biotope classifications and therefore it is not possible to determine the significance of impacts on Sandbank receptors and thus the conservation	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England notes the Applicant's response in PD1-071. Our	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement	No change, No further update received from the Applicant at Deadline 4 or 4a.	The Applicant has provided a response in Table 1.3.1 of the Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111), outlining why assessments will not be updated. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant reiterates that the MarESA sensitivity assessment was utilised to evaluate the recorded benthic sandbank communities at this site. It is

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		objectives for the IDRBNR SAC. The assumptions made by the Applicant to draw the conclusion of 'no significant impacts in EIA terms' relating to lasting loss/change of habitat of Sandbank habitat, especially within the SAC are not scientifically robust. The EIA methods require revisiting.	advice at Relevant Representations [RR-045] remains unchanged. We advise that Annex I Sandbank features continue to not be attributed to the appropriate levels of "Importance within benthic and intertidal ecology study area". And we do not agree with the justification provided by the Applicant to downgrade the significance of the Annex I communities.	to discuss the issue and determine whether agreement is possible.		understood that Natural England has encountered difficulty with the fact that no distinct benthic communities were identified across the Annex I sandbanks. Consequently, the assessed communities were classified under the biotope category 'Infralittoral muddy sand' (MB5). The sensitivity and vulnerability ranks derived from this assessment are scientifically valid and serve as a basis for predicting potential impacts within the assessed marine habitats. Furthermore, they inform the establishment of success criteria for recovery, as presented in Chapter 9: Benthic and Intertidal Ecology (document reference 6.1.9, V3, submitted at Deadline 6). The Applicant is unable to modify the survey results to align with Natural England's expectations regarding the sandbank habitat classification.
11	C31 & C5	Scour Protection: Natural England notes that the mitigation listed is from an engineering perspective rather than an ecological one. Schedule of Mitigation [APP-297] should be amended and it reflect commitments made to avoid rock protection in the IDRBNR SAC. We further advise the Applicant must demonstrate due regard to *S. spinulosa* reef within 12nm under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please see our advice to Point 12 below and C3 above to resolve this issue.	The Applicant has set out mitigation measures which will apply to *S. spinulosa* reef (as defined by Gubbay 2007 and Hendrick and Foster-Smith 2006) both within the IDRBNR SAC (Annex I reef) and also outside the IDRBNR SAC which includes that which would comprise reef protected under the NERC Act (2006) within the Outline Biogenic Reef Mitigation Plan (REP2-043). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	No change. Please refer to Appendix D4a [REP4a-136]. Natural England notes that the Applicant has included in [REP4079] and REP4-074] that *'Ecological based solutions for scour protection will be prioritised, where practicable'.* Natural England advises that until further detail, security and confidence in this measure is provided, we advise that this measure can't currently be relied upon.	As detailed within Natural England's Advised Mitigation for the IDRBNR SAC (Annex A of Chapter 9 Benthic and Intertidal Ecology (document reference 6.1.9, V3, submitted at Deadline 6), on of Natural England's mitigation measures included: '*Design rock armouring to mirror the structure and function of geogenic reef – this was advised for the Viking Link interconnector*' and as stated within Annex A. The option for ecologically designed rock protection has been included within the project design envelope; the final design for any rock protection will be discussed with the MMO (Page 179 of 179, document reference 6.1.9, V3, submitted at Deadline 6). Mitigation measures will be implemented by the project, and any justification for not doing so will be discussed with statutory advisors before construction. An agreement will be sought on whether the use of ecological rock protection is appropriate, based on the evidence available at that time. However, the Applicant agrees that rock armouring to mirror the structure and function of geogenic reef is not appropriate mitigation for the SAC, as detailed within Annex A of Chapter 9 Benthic and Intertidal Ecology (document reference 6.1.9, V3, submitted at Deadline 6).

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12	C32 & C5	All cable protection should be removed from IDRBNR SAC at the time of decommissioning. The use of rock protection should be excluded within the SAC. The schedule of mitigation [APP-287] should be updated to reflect commitments made to avoid rock protection in the IDRBNR SAC.	D1 - Progressed. Please see our Deadline 1 Appendix C1 response. D2 – No Change D3 – No Change D4 - No change. The Offshore Schedule of Mitigation [REP2-040] commits to deploying removable cable protection (if required) on the Annex I Sandbank feature within IDRBNR SAC. Natural England Notes the Applicant's Response in PD1-071. To resolve this issue, we advise all cable protection within the SAC should be removable from an ecological perspective i.e. avoiding further damage to the SAC features; which the installation of rock armouring would not. The project must commit to the removal of all cable protection within the IDRBNR SAC at the time of decommissioning. See our Response to Point 3 above.	The Applicant maintains that the conclusions previously drawn within the RIAA (REP4-030) are robust and support a conclusion of no AEoI. However, as set out within the Change Notification of 20th February 2025 (AS-032), the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa* within the IDRBNR SAC and is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's interpretation of the Natural England methodology is set out in (REP4a-123) submitted at Deadline 4a. The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	Issue progressed. Please refer to our advice at Deadline 5 in Appendix C6. Natural England welcomes the Applicant's commitment in REP4a-097, REP4a-105 and REP4a-144 to installing removable cable protection in areas of supporting habitat for Annex I *Sabellaria spinulosa* reef within IDRBNR SSAC along with the existing commitment for removable cable protection on the Annex I sandbank feature of the SAC. We continue to advise that all cable protection is removed from within the SAC.	The Applicant notes that the requirement to identify supporting habitat for *S. spinulosa* reef and to mitigate any impacts was not raised during the extensive pre-application process undertaken by the Applicant. The request to include this assessment was provided by Natural England at Deadline 3 submissions Appendix C2 (REP3-067) and Appendix C3 (REP3-068). This advice was supplemented by Natural England's comments at Deadline 4 (Appendix C4 to the Natural England Deadline 4 Submission (REP4-137)), summarised in the following paragraph: "*Natural England advises the Applicant undertakes and submits into examination an assessment of supporting habitats and processes for potential Annex I S. spinulosa reef, to demonstrate that the recovery of this feature will not be hindered by the installation of the export cable and/or the lasting placement of cable protection. This will provide the Secretary of State comfort an adverse effect on integrity to IDRBNR SAC Annex I reef features and habitats/processes in which it relies upon will be avoided.*" A commitment to remove cable protection across the entire SAC is not essential to reach a conclusion of no AEoI, as the existing mitigation measures have been specifically designed to address and safeguard the Annex I features within the SAC.
13	C34 & C10	The production of a PEMP in itself cannot be considered mitigation. We have concerns with level of detail of measures	D1 – No Change D2 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which	No change. Natural England advises no relevant updates were included in the PEMP	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.

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		included in the Outline documents and their effectiveness. Natural England requests that further details are provided on specific mitigation measures within the Outline PEMP.	D3 – No Change D4 - No change. In PD1-071 The Applicant has deferred updating this document until post consent. This provides uncertainty as to the effectiveness of the mitigation at the time of consent. To resolve this issue, Natural England advises the Outline PEMP [APP-277] is updated.	justifies the Applicant's position. The Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	v2 at Deadline 4a [REP4a-095].	The Applicant notes that the final PEMP will be prepared post-consent, therefore securing the various mitigation measures within it, including the requirement for MMO approval prior to commencement of any licensed activities. The Applicant considers that an appropriate level of detail is included in the Outline PEMP, similar to that provided for other offshore wind farms at this stage of development which provides sufficient certainty of the mitigation proposed. The final PEMP, which must be in accordance with the Outline PEMP, (with MMO approval and consultation with NE) will detail all appropriate mitigation measures at the time, following the project design and latest mitigation technologies at the time.
14	C35 & C10	Disposals sites for dredged material should be agreed as part of the consenting process. Disposal sites within the IDRBNR SAC should be upstream of the sandbank to help facilitate recovery. Natural England advises that further commitments to disposal locations should be made prior to consent being granted.	D1 - Progressed. Natural England welcomes review of the Disposal Site characterisation report [PD1-097]. We advise the commitments within the Schedule of mitigation [PD1-059] should reflect that disposal sites should be upstream of the sandbank feature within the IDRBNR SAC and a fallpipe for deposition should be used. D2 – No Change D3 – No Change D4 - No change. To resolve this issue Natural England advises the mitigation includes the commitment to ensure Disposal Sites are upstream of the sandwave, in similar sediment type, and	The Applicant has updated the Outline Cable Specification and Installation Plan (REP4a-097) at Deadline 4a to include a commitment to disposal of dredged material upstream of the sandbanks within the IDRBNR SAC to facilitate sandbank recovery and minimise impacts. The Applicant hopes that this further commitment will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	Issue resolved. Natural England welcomes the commitment in REP4a-097 that "*In the event that disposal of dredged sediment (associated with seabed preparation works or cable installation) is required, material will be deposited, upstream, within an area of similar sediment characteristics, in close proximity to the dredge location, in order to retain sediment within the sediment transport system.*"	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

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			that within designated sites or within 50m of priority habitat disposal is through a fallpipe to help facilitate sandbank recovery and minimise impacts. D5 -			
15	C36 & C10	There is no distinction in the Scour and Cable Protection Management Plan [APP-295] between the amount of cable protection deployed inside and outside of the IDRBNR SAC, the focus is on reducing cable protection to 5% within sandbank features only. Natural England queries if further reductions in cable protection within IDRBNR SAC can be made.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England notes in PD-071 that the Applicant is looking at options to reduce cable protection within the SAC, currently at an overall 20%. Natural England would welcome further update from the Applicant on this matter.	As set out within the Change Notification of 20th February 2025 (AS-032), the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa* within the IDRBNR SAC and is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's interpretation of the Natural England methodology is set out in document 22.11 submitted at Deadline 4a. The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	No change. Please refer to Appendix D1 [REP4a-136] regarding clarification being sought on the WCS/MDS.	The Applicant considers this matter to be resolved. Please refer to The Applicant's Comments on Natural England's Appendix D1 - Natural England's Advice on Benthic Compensation and Mitigation (REP5-150), which provides the response to clarification being sought on the WCS/MDS. Please see the responses to the clarification queries below: i) The Applicant can confirm there will be four export cables buried within four separate trenches across the offshore ECC, including the area that crosses the IDRBNR SAC. There could be up to 6 interlink cables across the Array Area. ii) ii) The Applicant can confirm that the figures noted by Natural England align with the Project's consideration for Worst Case Scenario for the Annex I sandbank features within the SAC. The figures have been calculated based on the use of removable remedial protection methods, using concrete mattresses as an example, which typically measure 6m x 3m in footprint. A detailed breakdown of the figures is provided below:

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Calculation Step Description	Value	Unit
Number of Cables	4	each
Length of transit for each cable through each Annex Sandbanks (both same width)	4000	m
Length of transit for each cable through both Annex 1 Sandbanks	8000	m
Total Cable length in Annex 1 Sandbanks	32000	m
5% of total length	1600	m
Anticipated number of mattresses required	266.6667	each
Anticipated each mattress footprint	18	m^2
Total footprint within Annex I Sandbanks	4800	m^2
20% allowance for installation accuracy and slippage	960	m^2
Total footprint for both sandbanks	**5760**	**m^2**
Total footprint for each sandbank (half of above)	**2880**	**m^2**

iii) The Applicant can confirm that 227,556m^2 is the correct figure, this has been updated in Chapter 3 Project Description (REP5-009), RIAA (document reference 7.1, V5, submitted at Deadline 6) and Chapter 9 Benthic and Intertidal Ecology (document reference 6.1.9, V3, submitted at Deadline 6) at Deadline 5. The Applicant has submitted their interpretation of the supporting habitat for S. spinulosa to Natural England for review, seeking agreement on the interpretation of the methodologies involved (*Sabellaria spinulosa* Reef Supporting Habitat Technical Note, (document reference 22.11, V3 updated at deadline 6) and are awaiting final confirmation on the Applicant's interpretation of methods from Natural England. However, based on the latest comments from Natural England (received, 24 February 2025) the Applicant anticipates that the offshore export cables will cross an area of supporting habitat which would total approximately 75% of the area outside Annex I sandbank features within the IDRBNR SAC and approximately 25% of the area would be classified as non-supporting habitat. Based

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						on this percentage split, 170,667m^2 of 227,556m^2 would interact with supporting habitat for S. spinulosa reef. However, it should be noted that the Applicant has committed to installing removable cable protection within areas identified as potentially supporting habitat for S. spinulosa reef, and these original area figures are based on the use of rock protection which has a larger footprint. In addition to clarifications above, the Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3 updated at Deadline 6). Natural England approved our interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below.
16	C37, C4 & C10	The Outline Biogenic Reef Mitigation Plan [APP-296], Section 2 'Consultation' appears to be incomplete. Each	D1 - Issue Addressed. Pre-application advice is included within the Biogenic Reef	Issue resolved.		

Calculation Step Description	Value	Unit
Number of Cables	4	each
Length of transit for each cable through Supporting Habitat	16562.5	m
Length of transit for all cables through Supporting Habitat	66250	m
20% of total length	13250	m
Number of mattresses required (rounded up)	4417	each
Each mattress footprint	18	m2
Footprint within Supporting Habitat	79506	m2
20% allowance for installation accuracy and slippage	15901.2	m2
Total Footprint for Supporting Habitat	**95407.2**	**m2**
Total volume for Supporting Habitat (0.35m high)	**33392.52**	**m3**

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		piece of Natural England's pre-application advice should be included, particularly to annex I reef should be included and discussed by the Applicant within this section of the mitigation plan.	Mitigation Plan Rev2 [PD1-067].			
17	C38, C39, C57, C4 & C10	In the Outline Biogenic Reef mitigation Plan [APP-296] provide detail on how and when pre-construction surveys will be undertaken. Comments to the baseline characterisation must be considered and the Applicant should provide a robust and well-informed pre-construction survey strategy which will confidently and accurately identify the presence and extent of *S. spinulosa* reef within the ECC, or areas with suitable conditions for reef formation, to appropriately facilitate and inform mitigation and compensation requirements where relevant.	D1 - No change. Please see our Deadline 1 Appendix C1 response. D2 – No Change D3 – No Change D4 - No change. While our concerns regarding the benthic technical survey report are addressed, following our Appendix C2 and C3 submission at Deadline 3, Natural England anticipates further update from the Applicant particularly taking into account our advice for supporting habitat and processes for Annex I Sabellaria spinulosa reef within IDRBNR SAC and where afforded protection within 12nm under the NERC, 2006 Act. Natural England highlights that micrositing is not the only form of benthic mitigation measure, noting that an AEOI can't currently be excluded in areas of	As set out within the Change Notification of 20th February 2025 (AS-032), the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa* within the IDRBNR SAC and is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's interpretation of the Natural England methodology is set out in (REP4a-122) submitted at Deadline 4a. The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	Issue progressed. Please refer to our advice in Appendix C6 at Deadline 5. Natural England has provided advice directly to the Applicant on their *Sabellaria spinulosa* reef supporting habitat Technical Note [REP4a-122]. We will provide further advice to the updated document expected to be submitted by the Applicant at Deadline 6. Natural England continues to note that an AEOI can't currently be excluded in areas of supporting habitat and processes for Annex I reef where cable protection is placed.	The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3 updated at Deadline 6). Natural England approved our interpretation of the methodologies and the quantification of the supporting habitat area for S. spinulosa reef via email through DAS on 25th March 2025. The Applicant notes that the requirement to identify supporting habitat for *S. spinulosa* reef and to mitigate any impacts was not raised during the extensive pre-application process undertaken by the Applicant. The request to include this assessment was provided by Natural England at Deadline 3 submissions Appendix C2 (REP3-067) and Appendix C3 (REP3-068). This advice was supplemented by Natural England's comments at Deadline 4 (Appendix C4 to the Natural England Deadline 4 Submission (REP4-137)), summarised in the following paragraph: "*Natural England advises the Applicant undertakes and submits into examination an assessment of supporting habitats and processes for potential Annex I S. spinulosa reef, to demonstrate that the recovery of this feature will not be hindered by the installation of the export cable and/or the lasting placement of cable protection. This will provide the Secretary of State comfort an adverse effect on integrity to IDRBNR SAC Annex I reef features and habitats/processes in which it relies upon will be avoided.*" The Applicant has endeavoured to map out supporting habitat in accordance with the guidance supplied and has agreed to mitigate impacts using removable cable protection within the areas identified. It should be noted that the conservation objectives of the SAC do not require that habitats with the potential to support designated habitats

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			supporting habitat and processes for Annex I reef where cable protection is placed.			receive the same level of protection as the designated habitats themselves. Whilst the conservation objective focuses on maintaining and restoring the supporting processes necessary for qualifying habitats, it is not reasonable to interpret this as a requirement to protect all habitats within the SAC that could develop into Annex I reef at some undefined time as if they were reef features themselves, nor has Natural England provided a justification for such an approach. The Applicant considers that the further analysis and further commitment to removable cable protection in defined areas of supporting habitat bolsters the existing conclusions of the assessment that there is no AEoI. The Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Deadline 6). The Applicant's commitment to installing removable cable protection within areas identified as potentially supporting for *S. spinulosa* reef is detailed within the 8.21 Outline Scour and Cable Protection Management (document reference 8.21, V5 submitted at Deadline 6) and the Outline Cable Specification and Installation Plan (document reference 8.5, V7 submitted at Deadline 6). Therefore, the Applicant believes they have made every effort to address and incorporate Natural England's advice to the best of their ability. The Applicant reiterates their commitment to avoidance of *S. spinulosa* reef (as identified in the pre-construction surveys) within the IDRBNR SAC (as detailed within the Outline Biogenic Reef Mitigation Plan (REP2-043) and secured in Condition 13(1)(j), Part 2, Schedule 11 of the DCO).
18	C40	Applicant to provide information on how they plan to define 'known' reef and supporting reef as per the micro-siting mitigation proposed in the Scour and Cable Protection Management Plan [APP-295]. Noting the importance of potentially supporting habitat, and areas of	D1 - No change. Please see our Deadline 1 Appendix C1 response. Our position regarding supporting reef habitat will be provided at Deadline 2. D2 - No change. We will be providing further advice at Deadline 3 in relation to	The Applicant highlights that it has undertaken an assessment of supporting habitat for *S. spinulosa* reef within the Offshore ECC that crosses within the IDNRRB SAC. The assessment was provided to Natural England on the 18th February 2025 and the Applicant has requested a meeting with	Issue progressed. Please refer to our advice in Appendix C6 at Deadline 5. Natural England has provided advice directly to the Applicant on their *Sabellaria spinulosa* reef supporting habitat Technical Note [REP4a-122]. We will	Please refer to the Applicant's response in Row 17 above.

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		'potential reef' in maintaining the total feature extent.	impacts on suitable reef habitat D3 - No change. Please see our advice in Appendix C2 and Appendix C3 submitted at Deadline 3 regarding supporting habitat and processes for *S. spinulosa* reef. D4 - No change. To resolve this issue we advise APP-295 is updated to detail how known and supporting reef habitat and processes will be defined. As point 17 above, following our Appendix C2 and C3 submission at Deadline 3, Natural England anticipates further update from the Applicant particularly taking into account our advice on supporting processes and habitat for Annex I Sabellaria spinulosa reef within IDRBNR SAC and where afforded protection within 12nm under the NERC, 2006 Act.	Natural England to seek agreement on the methodology that would inform any commitment. The assessment has been submitted to the examination as a technical note (REP4a-122) at this Deadline, (Deadline 4a, 26th February 2025). Based on this assessment the Applicant has proposed a commitment to the installation of removeable cable protection on the defined areas of supporting habitat for *S. spinulosa* reef within the IDRBNR SAC as further mitigation for the impacts of the Project on the IDRBNR SAC at this deadline, Deadline 4A, (subject to the ExA's confirmation that this should not be treated as a change - See change notification submitted by the Applicant on 20th February 2025 (AS-032)). The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	provide further advice to the updated document expected to be submitted by the Applicant at Deadline 6.	

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				In relation to NERC *S. spinulosa* reef (as defined by Gubbay 2007 and Hendrick and Foster-Smith 2006) the Applicant has set out mitigation measures which apply to outside the IDRBNR SAC which includes reef protected under the NERC Act (2006), within the Outline Biogenic Reef Mitigation Plan (REP2-043).		
19	C41 & C4	The Applicants response to our previous advice relating to MMO fisheries byelaw closure areas is incorrect and requires revision. All documents eg [APP-296] outlining mitigation measures should be updated to include measures to avoid lasting/permanent pressures within MMO fisheries byelaw areas so that reef recovery is not hindered.	D1 - Progressed. Natural England welcomes the commitment in the Outline Benthic Mitigation Plan [PD1-067] to avoid cable installation within the MMO fisheries byelaw area, but advise all impacts within the byelaw areas are avoided . D2 – No Change D3 - Issue resolved. Natural England welcomes the addition of the commitment in the Outline Biogenic Reef Mitigation Plan [REP2-043] to "ensure that no infrastructure is installed, and no ancillary works are to be undertaken within the defined MMO Byelaw area within the SAC". We welcome this is secured in the Schedule of Mitigation [REP2-040].	Issue resolved.		

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20	C45	As the project refines its MDS, Natural England requests further information in the RIAA [APP-235] on how the Applicant is committing to meeting the conclusions of the Plan Level HRA and the Export Cable Region Assessment. Natural England would welcome input from the Crown Estate to better understand how the proposals meet any seabed lease conditions.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England notes the Applicant's response in PD1-071. Natural England is concerned that AEOI on IDRBNR SAC at the Plan Level was discounted due to certainty around avoiding the designated site and therefore without further understanding of the seabed lease requirements we are unable to advise on whether environmental conditions required by TCE are being met by the Applicant. However, we note in section 6.2.8 of the Plan Level HRA where there is potential overlap with red risk sites '...affected developers must avoid irreparable damage (loss of a non-recoverable habitat) to these red risk features. Evidence should be submitted to The Crown Estate at the route selection and refinement stage outlining avoidance measures, mitigation and installation methods to reduce impacts depending on	The Crown Estate's Record of Appropriate Assessment at paragraph 5.2.2.4 which clearly states "*The assessment does not replace the information requirements of project level HRA and does not attempt to pre-empt their conclusions.*" The Applicant entered into a Transmission Assets Agreement for Lease with The Crown Estate on 17th October 2024 as set out in the Applicant's planning obligations and side agreements tracker (REP1-023), and in doing so demonstrated to The Crown Estate that it had complied with all necessary obligation placed upon it. The Applicant does not consider Natural England's concerns to be relevant to the DCO Application and this examination.	No change. Please see RIES Q.15 In Deadline 5 Appendix K3.	The Applicant wishes to highlight that it is not correct for the to state "*We note that an AEoI was not predicted for IDRNNR SAC at the plan level due to avoidance of the site*." as this was not the case. The plan-level HRA undertaken by The Crown Estate for Offshore Wind Leasing Round 4 did not undertake a reasonable of the Project's ECC as the cable route was not known at the time the plan-level HRA was undertaken, rather it undertook a high-level risk-based approach based on broad cable regions. This is clearly set out in section 6.2.1 of The Crown Estate's Record of Appropriate Assessment which states (our emphasis added): "*NIRAS (2022) undertook an Export Cable Region Assessment ("ECRA") for European Sites and features for which the Screening Report (NIRAS, 2021) identified a risk of LSE from an Export Cable Region. Due to the considerable uncertainty associated with cable routes for the Preferred Projects (not yet defined) the ECRA has taken a risk- based approach (consideration of both the vulnerability of features and the vulnerability of the Protected Sites) to the potential impacts arising from the installation of offshore wind farm export cables and their associated infrastructure.* ***The Crown Estate has concluded that it is not possible to undertake a reasonable and meaningful assessment of cable route impacts due to this uncertainty.***" The Crown Estate Record of Appropriate Assessment goes on to assert that this risk-based assessment does not replace the need for, or prejudge the outcome of, project level assessments undertaken as part of the DCO process at section 6.2.4 (our emphasis added): "*The ECRA has been used to evaluate the overall risk of an AEOSI from each Export Cable Region (and the Export Cable Regions collectively), alone and in-combination with other plans and projects.* ***The assessment does not replace the information requirements of project level HRAs and does not attempt to pre-empt their conclusions.***" The Crown Estate Record of Appropriate Assessment then goes on to explain the plan-level mitigation measures that apply at initial route selection stage (i.e. not at the Project level stage), and state at paragraph 6.2.7 (our emphasis added):

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			the type of risk.' We therefore believe that this issue is unlikely to be resolved during examination due to professional differences in relation to what is considered 'irreparable damage', with Natural England identifying the use of cable protection as irreparable damage. We also do not believe that all mitigation measures in Section 2.7 of the Plan Level RIAA for Category 3 projects has been fully considered at the project level.			*"The mitigation measures identified will be secured through the Agreements for Lease and* ***leaseholders will be required to demonstrate compliance with the mitigation measures in order to obtain an Agreement for Lease for any transmission assets****."* The Crown Estate subsequently confirmed to the Applicant that the necessary requirements of the plan-level HRA had been satisfied to the satisfaction of The Crown Estate in June 2023 to enable an Agreement for Lease for the transmission assets to be entered into and this was completed on 17th October 2024.
21	C47	The benthic and intertidal ecology sections of the RIAA [APP-235] should be updated to focus on IDRBNR SAC and potential hinderance of the conservation objectives to provide a true representation of the Habitat Regulation concerns	D1 – No Change D2 – No Change D3 – No Change D4 - No change. To resolve this matter Natural England continues to advise the benthic and intertidal sections are updated to provide focus on the IDRBNR SAC.	The Applicant provided an updated RIAA at Deadline 4 (REP4-030). As set out within the Change Notification of 20th February 2025 (AS-032), the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa* within the IDRBNR SAC and is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's	No change. Please refer to our advice in Deadline 5 Appendix C6. We have concerns the evidence to support recoverability of *Sabellaria spinulosa* reef is limited. We also advise that impacts on supporting habitat for Annex I *S. spinulosa* reef have not been assessed.	The Applicant acknowledges that while the evidence supporting the recoverability of Annex I *S. spinulosa* reef from the identified impacts is currently somewhat limited, however research conducted by the aggregates industry, in addition to studies such as those by Pearce et al., provides a solid foundation for evidence in recovery. These studies suggest that the recovery of impacted populations is facilitated by a range of dynamic processes, which, although influenced by stochastic events, operate across multiple scales. Positive factors such as favourable local habitat conditions, resilience to further impacts, and vital ecological processes such as larval supply and recruitment between populations all contribute to the potential for successful recovery. As such, while recovery can be complex, there is evidence to suggest that *S. spinulosa* populations have a strong capacity to regenerate over time, provided conditions remain conducive to their resilience. The Applicant has provided relevant supporting study references within the RIAA (document reference 7.1, V5 updated at Deadline 6), specifically in paragraphs 126–128, where this information is cited. This research states evidence that *S. spinulosa* community structure can recover within the

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				interpretation of the Natural England methodology is set out in (REP4a-122) submitted at Deadline 4a. The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.		range from two to seven years, depending on the level of disturbance and is reliant on larval recruitment from surrounding areas. Please see the Applicants response to point 22 below, which confirms the Applicants updates to supporting habitat for Annex I *S. spinulosa* reef.
22	C48, C60, C5 & C7	Even if the Applicant is able to fully microsite the cable to avoid known Annex I reef features there will still be a loss of Annex I reef supporting habitat which we consider would be adverse effect and would require compensation. Natural England advises that impacts to supporting habitat are considered within the RIAA. Until this is resolved we do not agree with the conclusions of the RIAA in regard to impacts to Annex I reef from the placement of cable protection.	D1 - No change. Please see our Deadline 1 Appendix C1 response. Our position regarding supporting reef habitat will be provided at Deadline 2. D2 - No change. We will be providing further advice at Deadline 3 in relation to impacts on suitable reef habitat D3 - No change. Please see our Appendices C2 and C3 submitted at Deadline 3 regarding supporting processes and habitat suitable for S. *spinulosa* reef. D4 - No change. Following our Appendix C2 and C3 submission at Deadline 3, Natural England anticipates further update from the Applicant particularly taking into account our advice on	As set out within the Change Notification of 20th February 2025 (AS-032), the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa* within the IDRBNR SAC and is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's interpretation of the Natural England methodology is set out in (REP4a-122) submitted at Deadline 4a. The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from	No change. Please see Deadline 4a Appendix D1 [REP4a-136] and Deadline 5 Appendix C6. Impacts on supporting habitat for Annex I *S. spinulosa* reef have not been assessed in the updated RIAA [REP4-031]. Natural England notes that ODOW have committed to installing removable cable protection within areas identified supporting habitat for Annex 1 *S. spinulosa* reef within IDRBNR SAC. Whilst this is welcomed and demonstrates adoption of the mitigation hierarchy in minimising the impacts; it does not	The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3 submitted at Deadline 6). Natural England approved the Applicants interpretation of the methodologies and the quantification of the supporting habitat area for S. spinulosa reef via email through DAS on 25th March 2025. The Applicant notes that the requirement to identify supporting habitat for *S. spinulosa* reef and to mitigate any impacts was not raised during the extensive pre-application process undertaken by the Applicant. The request to include this assessment was provided by Natural England at Deadline 3 submissions Appendix C2 (REP3-067) and Appendix C3 (REP3-068). This advice was supplemented by Natural England's comments at Deadline 4 (Appendix C4 to the Natural England Deadline 4 Submission (REP4-134)), summarised in the following paragraph: "*Natural England advises the Applicant undertakes and submits into examination an assessment of supporting habitats and processes for potential Annex I S. spinulosa reef, to demonstrate that the recovery of this feature will not be hindered by the installation of the export cable and/or the lasting placement of cable protection. This will provide the Secretary of State comfort an adverse effect on integrity to IDRBNR SAC Annex I reef features and habitats/processes in which it relies upon will be avoided.*" The Applicant has endeavoured to map out supporting habitat in accordance with the guidance supplied and has agreed to mitigate

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			supporting processes and habitat for Annex I Sabellaria spinulosa reef within IDRBNR SAC.	Natural England to confirm agreement on this Issue.	secure the removal of the cable protection and nor does it avoid hindering the conservation objectives for the site to restore 'the supporting processes on which qualifying natural habitats and the habitats of qualifying species rely'. Therefore an Adverse Effect on Integrity alone cannot be excluded.	impacts using removable cable protection within the areas identified. It should be noted that the conservation objectives of the SAC do not require that habitats with the potential to support designated habitats receive the same level of protection as the designated habitats themselves. Whilst the conservation objective focuses on maintaining and restoring the supporting processes necessary for qualifying habitats, it is not reasonable to interpret this as a requirement to protect all habitats within the SAC that could develop into Annex I reef at some undefined time as if they were reef features themselves, nor has Natural England provided a justification for such an approach. The Applicant considers that the further analysis and further commitment to removable cable protection in defined areas of supporting habitat bolsters the existing conclusions of the assessment that there is no AEoI. The Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Deadline 6).
23	C49 & C7	There is disagreement with the Applicant on statements made on Annex I reef recovery. Natural England advises compensation measures do not take account of this impact. Natural England refers the ExA to the Norfolk Vanguard and Boreas Secretary of State Decisions where compensation was required due to the potential to disturb Annex I *S. spinulosa* Reef during cable installation	D1 - No change. Please see our Deadline 1 Appendix C1 response. Our position regarding supporting reef habitat will be provided at Deadline 2. D2 – No Change D3 – No Change D4 - No change. Natural England notes the Applicants response in PD1-071 and what is included in the Schedule of Mitigation [APP-287] and DCO/dML. There is currently only the following commitment 'Windfarm infrastructure will be micro-sited around Annex I reef as far as practicable, to avoid	The Applicant has secured the relevant mitigation measures for *S. spinulosa* reef within the Outline Biogenic Reef Mitigation Plan (REP2-043), which commits to the avoidance of *S. spinulosa* reef (as identified in the pre-construction surveys) within the IDRBNR SAC. As set out within the Change Notification of 20th February 2025 (AS-032), the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa* within the IDRBNR SAC and	No change. Please refer to our advice in Appendix C6.	Please refer to the Applicant's response in Row 22 above, in relation to supporting habitat. The Applicant maintains its position that an AEoI of the Annex I Sandbank and Annex I Reef features of the IDRBNR SAC can be excluded with the mitigation currently proposed, which includes: The avoidance of *S. spinulosa* reef (as identified in the pre-construction surveys) within the IDRBNR SAC (as detailed within the Outline Biogenic Reef Mitigation Plan (REP2-043) and secured in Condition 13(1)(j), Part 2, Schedule 11 of the DCO); and Adopting the use of removable cable protection across all Annex I sandbank features and within areas of habitat that could support *S. spinulosa* reef in the future, based on guidance and advice provided by Natural England (this commitment is detailed within the Outline Scour and Cable Protection Management Plan (REP5-129) and in the Outline Cable Specification and Installation Plan (REP5-117), secured under condition 13(1)(d), Part 2, Schedule 11 of the DCO).

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			where possible direct impacts to these sensitive habitats' [NE emphasis]. Therefore there remains a risk that Annex I reef will be impacted. To resolve this issue we advise that there is a commitment to avoid impacts on Annex I reef within IDRBNR SAC.	is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's interpretation of the Natural England methodology is set out in (REP4a-122) submitted at Deadline 4a. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		
24	C50 & C7	It is a condition of all Aggregates Dredging licences that impacts to Annex I reef are avoided. References with regard to 2007 and 2001 *S. spinulosa* reef recovery cannot be relied upon. Natural England's advice on likely recoverability of Annex I reef is consistent with previous examinations. There is a likelihood of there being an impasse between the professional judgement of the Applicant's consultants and Natural England specialists on this matter.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England notes the Applicants response in PD1-071. We continue to advise there is a likelihood of there being an impasse between the professional judgement of the Applicant's consultants and Natural England specialists on this matter. However, any damage to Annex I reef is likely to hinder the restore conservation objectives and require	The Applicant has secured the relevant mitigation measures for *S. spinulosa* reef within the Outline Biogenic Reef Mitigation Plan (REP2-043), which commits to the avoidance of *S. spinulosa* reef (as identified in the pre-construction surveys) within the IDRBNR SAC. As set out within the Change Notification of 20th February 2025 (AS-032) , the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa*	No change. Please refer to our advice in Appendix C6	Please refer to the Applicant's response in Row 21, 22 and 23 above.

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			compensation. Please see response to C23 above.	within the IDRBNR SAC and is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's interpretation of the Natural England methodology is set out in document 22.11 submitted at Deadline 4a. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		
25	C51 & C7	Natural England disagrees with the Applicant's conclusion that Annex I *S. spinulosa* reef will recover from cable installation activities and due to uncertainties with the impact assessment we do not believe that mitigation measures in the form of micro-siting has the necessary assurances in relation to avoiding impacts within the red line boundary. There is likelihood of there being an impasse between the Applicant and Natural England on this matter.	D1 – No Change D2 – No Change D3 – No Change D4 - Please see out comments on C23 and C24 above.	No change. The Applicant has provided evidence on *S. spinulosa* recovery within response in Row C51, Table 1.45.4.2 of the Applicant's Response to Relevant Representations (PD1-071).	No change. Please refer to our advice in Appendix C6	No change. The Applicant has provided evidence on *S. spinulosa* recovery within response in Row C51, Table 1.45.4.2 of the Applicant's Response to Relevant Representations (PD1-071). The Applicant acknowledges Natural England's statement regarding a likely impasse between the Applicant and Natural England. However, the Applicant remains confident that, based on all data submitted at Application, and confirmed through additional studies (document 15.13), the absence of any qualifying Annex I reef features within the offshore ECC, plus additional mitigation to avoid any reef which may consequently form, the potential for an AEoI on this feature of the IDRBNR SAC can be excluded beyond reasonable scientific doubt.

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26	C52	There are limitations with the evidence to support sandbank recovery following levelling. Natural England advises that monitoring sandbank recovery post construction should be incorporated within the In Principle Monitoring Plan.	D1 - No change. Though we note that Applicant disagrees with us on this point D2 – No Change D3 – No Change D4 - No change. Please see Natural England Appendix L at Deadline 3 [REP3-075] and Appendix B2 at Deadline 4.	The Applicant has updated the Offshore In-Principle Monitoring Plan (REP4a-073) at Deadline 4a. This includes indicative hypotheses for key topics, including a proposal for a hypothesis which focuses on bedform (including sandwaves) recovery. The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	No change. Please refer to Deadline 5 Appendix C6. Natural England advises that the in-principle monitoring should be extended to include considerations of changes in the quality, extent and recovery of supporting habitat for Annex I *Sabellaria spinulosa* reef, as well as that of Annex I Sandbank communities.	The Applicant has updated the Offshore In-Principle Monitoring Plan (REP4a-073) to include a monitoring campaign for supporting habitat for Annex I *S. spinulosa* reef as well as that of Annex I Sandbank communities. The current proposed monitoring campaign covers quality and extent of Annex I *S. spinulosa* reef within the Order Limits, as detailed within REP4a-073. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
27	C53, C60, C5 & C6	In APP-235, the assessment of physical habitat loss needs to be considered separately from physical disturbance in considering LSE/AEoI as the receptors have different levels of sensitivity to each of these pressures. Alternatively, the worst case sensitivity should be used and considered when determining LSE and or AEoI.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England notes the Applicant's response in PD1-071. Our position remains unchanged. To resolve this issue we advise the ExA that the Applicant revises their assessment of physical habitat / loss change as set out in our Relevant Representations [RR-045].	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	No change please refer to our advice in Deadline 5 Appendix C6. We continue to disagree with the conclusions of no AEoI for IDRNBR SAC. Natural England reiterates the need for the Applicant to revisit the conclusions of this assessment for Annex I Sandbanks and *Sabellaria spinulosa* reef.	The Applicant has assessed both physical habitat loss and disturbance and these have both been presented clearly within the RIAA (document reference 7.1, V5, submitted at Deadline 6), with consideration of the distinct sensitivities of each impact. The assessment details that S. spinulosa reef has a 'medium' sensitivity to disturbance (based on the MarESA sensitivity assessments), and the assessment notes that S. spinulosa has a sensitivity of 'high' from habitat loss. Assessments of the potential for an AEoI do not classify the sensitivity of a feature in the same way as for an EIA, however, the relative sensitivity of a feature is considered when determining the potential for an AEoI, is as far as it affects the conservation objectives of a site. It is therefore considered that the assessment provided does provide an adequate level of detail on the sensitivity of features to both disturbance and habitat loss separately and therefore each is fully assessed with respect to the appropriate sensitivity. The Applicant has separated these pressures within the detailed impact assessment presented within Section 9.8 of ES Chapter 9: Benthic and Intertidal Ecology (document reference 6.1.9, V3, submitted at Deadline

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						6), which informs the basis of the RIAA (document reference 7.1, V5, submitted at Deadline 6). The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3 updated at Deadline 6). Natural England approved the Applicant's interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below.

Calculation Step Description	Value	Unit
Number of Cables	4	each
Length of transit for each cable through Supporting Habitat	16562.5	m
Length of transit for all cables through Supporting Habitat	66250	m
20% of total length	13250	m
Number of mattresses required (rounded up)	4417	each
Each mattress footprint	18	m2
Footprint within Supporting Habitat	79506	m2
20% allowance for installation accuracy and slippage	15901.2	m2
Total Footprint for Supporting Habitat	**95407.2**	**m2**
Total volume for Supporting Habitat (0.35m high)	**33392.52**	**m3**

The Applicant awaits Natural England's final position at Deadline 6. However, the Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Deadline 6) and has updated the without prejudice compensation case to include the quantification of impact to Annex I supporting habitat. The following compensation documents have therefore been updated and submitted at Deadline 6.

Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6) and,

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						Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6)
28	C54	Several different TIER approaches for the in-combination assessment have been proposed and therefore the ongoing impacts from constructed windfarms have not been taken into account. We are unable to agree with the conclusions drawn within this report. Please refer to Natural England's Best Practice Guidance for the SNCBs advice on using Tiers for scoping project into in-combination assessments.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please Refer to Natural England's response to the Examining Authority's Written Questions 2 in Appendix K2 [REP2-074].	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position, including in responses to Natural England's responses to the ExA's Written Questions provided in (REP3-054). The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	No change. Please response to RIES Q.12 and Q.13 in Appendix K3 at Deadline 5	Whilst acknowledging Natural England's position, the three-tier system used in the cumulative and in-combination assessments, which the Applicant re-iterates includes all the categories as listed in the seven-tier system, provides for a thorough and precautionary assessment of all relevant plans or projects using the best available data. On this basis the Applicant maintains that the information provided to inform the SoS's cumulative/ in-combination assessments is sufficient to support the conclusions presented within the RIAA (document reference 7.1, V5, submitted at Deadline 6). For the Annex I sandbank feature of IDRBNR SAC, which Natural England mentions as a particular concern all operational projects within the IDRBNR SAC were assessed within the CEA. Furthermore, the Applicant maintains its position that Planning Inspectorate guidance (PINS Advice Note 17 – Cumulative Effects Assessment now superseded by NSIPs: Advice on Cumulative Effects Assessment (Planning Inspectorate, 2024)) more appropriately identifies best practice in this case.
29	C55, C6	For Annex I Sandbanks within the RIAA [APP-235], every effort must be made to mitigate the project impacts to not only reduce the Project's alone effects but also ensure that it doesn't materially contribute to existing pressures/cumulatively and in-combination impacts. Natural England advises these pressures, including small-scale losses, should be fully considered in the in-	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England notes the Applicant's response in PD1-071. While we note the Applicant is considering Natural England's updated Conservation Advice and SACO's published May 2023 and incorporate into future updates to the RIAA,	The Applicant provided an updated RIAA (REP4-030) at Deadline 4 which we hope will allow this Issue to now be resolved. We await feedback from Natural England to confirm agreement on this Issue.	No change. Natural England's position remains unchanged	The Applicant has provided a response in Table 1.3.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant considers that in-combination impacts relating to Annex I Sandbanks have been assessed and appropriately considered in relation to existing and upcoming pressures. With respect to the updated Conservation Advice Package and Supplementary Advice on Conservation Objectives (last updated in September 2024), the Applicant has reviewed the advice package and noted that there are no changes to the outcomes of our assessments.

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		combination impact assessment.	our position remains unchanged.			
30	C58, C60, C5	Natural England considers that the impacts from cable protection are likely to result in lasting change and/or loss of Annex I Sandbank feature. The commitment to solely use removable cable protection over the Annex I Sandbank features of the IDRBNR SAC is missing from Table 6.1 [APP-235]. All mitigation of relevance to the assessment of impacts on IDRBNR SAC features should be made consistent both within, and across, the application documents. Further evidence is required to provide the necessary level of assurance that any mitigation (i.e. scour protection removal) will be fully successful.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please see our advice above to Points 1, 3, 11 and 12. The commitment to using removable cable protection for the Annex I Sandbank within IDRBNR should be set out within Table 6.1 rather than just relying on named cross reference to the Outline Scour Protection Management Plan [APP-295].	The Applicant provided an updated RIAA (REP4-030) at Deadline 4 which we hope will allow this Issue to now be resolved. We await feedback from Natural England to confirm agreement on this Issue.	No change. Please refer to our advice at Deadline 4.	The Applicant provided an updated RIAA (REP5-101) at Deadline 5 which we hope will allow this Issue to now be resolved. We await feedback from Natural England to confirm agreement on this Issue.
31	C59, C60	Table 6.1 'Mitigation of Relevance to the RIAA' [APP-235] fails to mention the MMO fisheries byelaw areas which should be managed as reef. Natural England strongly advises that avoidance of MMO byelaw areas be included within proposed mitigation for Annex I reef within the IDRBNR SAC.	D1 - No change. See advice to point 19. The RIAA should be updated to reflect this commitment for the MMO Byelaw areas. D2 – No Change D3 – No Change D4 - No change. To resolve this matter the RIAA should be updated to reflect the	The Applicant provided an updated RIAA (REP4-030) at Deadline 4 which we hope will allow this Issue to now be resolved. We await feedback from Natural England to confirm agreement on this Issue.		The Applicant provided an updated RIAA (REP5-101) at Deadline 5 which we hope will allow this Issue to now be resolved.

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			MMO Byelaw commitment as outlined at Deadline 1. D5 - No change. To resolve this matter the RIAA should be updated to reflect the MMO Byelaw commitment.			
32	C63, C64 & C9	Comments to the approach and methods used to identify Annex I reef, also apply to *Sabellaria* Reef Priority Habitat (Section 41 of the NERC Act, 2006). Mitigation measures should be adopted via the Applicants Schedule of Mitigation [APP-0287] and ES [APP-154] in order that impacts (particularly permanent loss) on all Section 41 Habitats be avoided and/or reduced wherever feasible through mitigation measures such as micro-siting and considered within the Biogenic Reef Monitoring Plan [APP-296] and IPMP [APP-276].	D1 - Issue progressed but not resolved. See Appendix C1. Our position regarding supporting reef habitat will be provided at D2. D2 – No Change D3 – No Change D4 - No Change. Please see previous comments in relation to commitments surrounding mitigation measures	The Applicant provided an updated RIAA (REP4-030) at Deadline 4 which we hope will allow this Issue to now be resolved. We await feedback from Natural England to confirm agreement on this Issue.	No change. Please refer to Deadline 5 Appendix C6. Natural England advises that the in-principle monitoring should be extended to include considerations of changes in the quality, extent and recovery of *S. spinulosa* supporting habitat, as well as that of Annex I sandbank communities.	The Applicant has updated the Offshore In-Principle Monitoring Plan (document reference 8.3, V3, submitted at Deadline 6) to include a monitoring campaign for supporting habitat for Annex I *S. spinulosa* reef as well as that of Annex I Sandbank communities. The current proposed monitoring campaign covers quality and extent of Annex I *S. spinulosa* reef within the Order Limits, as detailed within Section 3.3 of (document reference 8.3, V3 submitted at Deadline 6). The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
33	New Issue D2	Natural England believes there may be a risk of impacts to benthic/intertidal ecology receptors from nearshore cable protection amendments proposed by the Applicant. Further information is required on potential mitigation measures proposed by the Applicant to address our concerns in relation to potential	D2 - Please see our Deadline 2 response to ExQ HRA 1.7 within Appendix K D3 – No Change D4 - No change. To resolve the issue information should be provided on mitigation measures to alleviate Natural England's concerns addressed in [REP2-074].	The Applicant provided an updated Outline SPCPMP (REP4-080) at Deadline 4 which includes reference to the use of mattresses within the depth of closure. The Applicant hopes this will allow this Issue to now be resolved. We await feedback from Natural	No change. Please refer to our advice in Appendix D1 [REP4a-136]. We welcome the Applicant's commitment in [REP4-079, REP4-0774 and REP4-083] to the use of removable concrete mattresses as cable protection in the	The Applicant has committed to the use of concrete mattresses in the nearshore in addition to the commitment of the nearshore cable protection height to not exceed 0.35 m. This is secured in the (further) updated Outline Scour Protection and Cable Protection Management Plan (document reference 8.21, V5, submitted at Deadline 6). The Applicant can offer the following clarifications on the nearshore cable protection as requested by Natural England: • Length = 2,076 m • Area = 12,456 m^2

Point	Ref from Appendix C [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix C - Benthic & Intertidal Ecology [RR-045] D:DC:E	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		disruption of sediment transport along the near shore from cable protection. NE Ref B6, B11 and B29.		England to confirm agreement on this Issue.	nearshore. Further clarification is needed on the anticipated maximum length of cable protection within the nearshore, location relative to MLWS (Mean Low Water Springs), and water depth to address our concerns in relation to disruption to sediment transport. Anticipated maximum dimensions for the concrete mattresses proposed should be provided.	• Volume = 4,359 m^3

Table 1.3.2 The Applicant's Current position on PADS matters – Benthic and Intertidal Ecology

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicants Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
NE1	Natural England has concerns with the sufficiency of the data in order to draw conclusions, with any confidence, as to the presence, extent and quality of Annex I biogenic reef (*Sabellaria spinulosa*). Natural England advises the Applicant re-examines the existing data, analytical approach and methods which have been used to provide a baseline of the extent and distribution of Annex I *Sabellaria spinulosa* reef.	D1 - Progressed. Please see our Deadline 1 Appendix C1 and R&I Log Tab C. The Applicant's clarifications should be incorporated within the technical report to ensure these can be relied upon post consent. Our position regarding supporting reef habitat will be provided at D2. D2 – No Change D3 – No Change D4 - Progressed. The Applicant has provided their clarifications in an appendix at the end of each report. To resolve this issue, we advise the Applicant includes a forward note or revision update to ensure this inclusion is not missed when the report is relied upon post consent.	The Applicant has provided further clarification on this Issue in the updates ES Chapter 9 Appendix 2 Benthic Ecology Technical Report (ECC) (REP4a-069) and the Offshore Export Cable Corridor S. spinulosa Reanalysis (REP4a-070) submitted at Deadline 4a and we understand from on-going discussion that this Issue is resolved which we anticipate will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	Issue resolved. The technical reports now include adequate additional information and clarification sufficient to address Natural England's previous comments.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.
NE3	There will likely be an AEoI to the IDRBNR Annex I 'Sandbanks which are slightly covered by sea water all the time' feature from the lasting habitat loss/change due to the placement of cable protection within IDRBR. Natural England advises the Applicant revisits the assumptions and assessment conclusions made. The Applicant must demonstrate the mitigation hierarchy has been	D1 - Progressed. Please see our Deadline 1 Appendix B1 and R&I Log Tab B. Concerns remain in relation to feasibility of Applicant's proposal to address our concern D2 - Progressed. But further information required re proposed mitigation measures D3 - Progressed, but still need further clarification on the Maximum Design Scenario (MDS) for cable protection in	The Applicant provided an updated Outline SPCPMP (REP4-080) at Deadline 4 which includes reference to the use of mattresses within the depth of closure. The Applicant hopes this will allow this Issue to now be resolved. We await feedback from Natural England to confirm agreement on this Issue.	D5 – No Change	The Applicant has provided a response in Table 1.3.2 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant has committed to the use of concrete mattresses in the nearshore in addition to the commitment of the nearshore cable protection height to not exceed 0.35 m. This is secured in the (further) updated Outline Scour Protection

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicants Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
	fully explored to demonstrate that impacts are minimised.	the shallow nearshore. Please refer to Q1 HRA 1.7 (DOC ref). D4 – No Change			and Cable Protection Management Plan (document reference 8.21, V5, submitted at Deadline 6). The Applicant can offer the following clarifications on the nearshore cable protection as requested by Natural England: • Length = 2,076 m • Area = 12,456 m^2 • Volume = 4,359 m^3 The Applicant hopes this will allow this Issue to now be resolved. We await feedback from Natural England to confirm agreement on this Issue.
NE4	Natural England is unable to advise that an AEoI for Annex I *Sabellaria spinulosa* reef interest feature can be ruled out due to habitat (and supporting habitat) loss/change from any placement of cable protection and disturbance during installation. There is an insufficient level of confidence in the baseline data to inform our advice. Natural England advises the assumptions made by the Applicant to draw the conclusion of no AEoI on Annex I *Sabellaria spinulosa* reef features within IDRBNR are not scientifically robust and require revisiting in order that inconsistencies and contradictions between the evidence and	D1 - No change. See Appendix C1 and R&I Tab C. Our position regarding supporting reef habitat will be provided at D2. D2 – No Change D3 - No change. Please see our Appendices C2 and C3 submitted at Deadline 3 regarding supporting processes and habitat suitable for *Sabellaria spinulosa* reef. D4 - No change. Please see our Appendix C4 at Deadline 4, regarding supporting processes and habitat suitable for *Sabellaria spinulosa* reef.	The Applicant maintains that the conclusions previous drawn within the RIAA [REP4-030] are robust and support a conclusion of no AEoI. However, as set out within the Change Notification of 20th February 2025 (AS-032), the Applicant proposes to make a commitment to the use of removable cable protection within areas of supporting habitat for *S. spinulosa* within the IDRBNR SAC and is consulting with Natural England on the mapping exercise undertaken by the Applicant, based on the methodology set out by Natural England in (REP3-067). The Applicant's interpretation of the Natural England methodology is set out in (REP4a-122) submitted at Deadline 4a.	Issue progressed. Please refer to our advice in Deadline 5 Appendix C5 and C6. Natural England has provided advice directly to the Applicant on their Sabellaria spinulosa reef supporting habitat Technical Note [REP4a-122]. We will provide further advice to the updated document expected to be submitted by the Applicant at Deadline 6. Natural England continues to note that an AEOI can't currently be excluded in areas of supporting habitat and processes for Annex I reef where cable protection is placed.	The Applicant is hopeful that this has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6). Natural England approved the Applicants interpretation of the methodologies and the quantification of the supporting habitat area for S. spinulosa reef via email through DAS on 25th March 2025. The Applicant notes that the requirement to identify supporting habitat for *S. spinulosa* reef and to mitigate any impacts was not raised

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicants Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
	conclusions presented are resolved.		The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		during the extensive pre-application process undertaken by the Applicant. The request to include this assessment was provided by Natural England at Deadline 3 submissions Appendix C2 (REP3-067) and Appendix C3 (REP3-068). This advice was supplemented by Natural England's comments at Deadline 4 (Appendix C4 to the Natural England Deadline 4 Submission (REP4-134)), summarised in the following paragraph: "*Natural England advises the Applicant undertakes and submits into examination an assessment of supporting habitats and processes for potential Annex I S. spinulosa reef, to demonstrate that the recovery of this feature will not be hindered by the installation of the export cable and/or the lasting placement of cable protection. This will provide the Secretary of State comfort an adverse effect on integrity to IDRBNR SAC Annex I reef features and habitats/processes in which it relies upon will be avoided.*" The Applicant has endeavoured to map out supporting habitat in accordance with the guidance supplied and has agreed to mitigate impacts using removable cable protection within the areas identified. It should be noted that the conservation objectives of the SAC do

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicants Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
					not require that habitats with the potential to support designated habitats receive the same level of protection as the designated habitats themselves. Whilst the conservation objective focuses on maintaining and restoring the supporting processes necessary for qualifying habitats, it is not reasonable to interpret this as a requirement to protect all habitats within the SAC that could develop into Annex I reef at some undefined time as if they were reef features themselves, nor has Natural England provided a justification for such an approach. The Applicant considers that the further analysis and further commitment to removable cable protection in defined areas of supporting habitat bolsters the existing conclusions of the assessment that there is no AEoI. The Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Deadline 6).
NE5	Natural England queries how the project will comply with the Export Cable Region Assessments that inform their seabed lease with The Crown Estate, given the identified AEoI. We suggest that feedback is sought through the examination process	D1 – No Change D2 – No Change D3 – No Change D4 - No change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and	D5 - No change	

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicants Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
	from The Crown Estate who are obligated to ensure the outcomes of the Round 4 plan level HRA are upheld.		it is unclear whether agreement will be reached before the end of Examination.		
NE6	Natural England cannot support the following proposed "Without Prejudice" Compensation Measures: • Alternative measures for Annex I sandbanks and Reef • Creation of Annex I reef as compensation for Annex I Sandbank Habitat • Anthropogenic Pressure Removal: Marine Debris and Awareness Campaign Natural England believes that these approaches would not offset the predicted impacts on an interest feature and/or there is currently no delivery mechanism	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please refer to D4 Cover Letter where Natural England draws the ExA and Applicants attention to the Ministerial Statement issued on 29th January 2025 which confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund. compensation has the greatest likelihood of maintaining the coherence of the National Site Network; we do not believe there is merit in further progressing project specific compensation measures at this time. Also, please refer to D5 cover letter. Natural England supports the removal of the following project lead compensation measures from the DCO: Alternative measures for Annex I sandbanks and Reef, Marine Debris and Awareness Campaign. Seagrass habitat creation/restoration. As advised we do not consider biogenic reef habitat creation as suitable compensation for Annex I Sandbank.	The Applicant welcomes alignment with Natural England on the appropriate measure of compensation and the confirmation through the Written Ministerial Statement and associated interim guidance that the strategic extension of Marine Protected Measure will be delivered by Defra, should the SoS deem compensation necessary for the Project. It is expected that should compensation be required in relation the IDRBNR SAC, then the measure would be Marine Protected Area designations and/or extensions delivered by Defra. However, it should be noted that until the SoS has made their decision on any necessary compensation and detail on magnitude, cost and timing is available it is prudent for the Applicant to retain the ability to deliver other measures, even in the event there is a lack of agreement with Natural England on those measures the project is proposing to retain. It will be for the SoS to make the final decision on which method will ultimately be delivered (if deemed necessary), noting the Applicants full agreement with Natural England on the appropriateness of Marine Protected Area designations and/or extensions delivered by Defra. Nonetheless, the Applicant is proposing to refine its list of potential measures further. As	Issue progressed: Please see our benthic compensation advice in Deadline 4a Appendix D1 [REP4a-136]. Statutory Nature Conservation Bodies (SNCB's) believe strategic compensation has the greatest likelihood of maintaining the coherence of the National Site Network; we do not believe there is merit in further progressing project specific compensation measures at this time. Also, please refer to D5 cover letter. Natural England supports the removal of the following project lead compensation measures from the DCO: Alternative measures for Annex I sandbanks and Reef, Marine Debris and Awareness Campaign. Seagrass habitat creation/restoration. As advised we do not consider biogenic reef habitat creation as suitable compensation for Annex I Sandbank.	The Applicant welcomes alignment with Natural England on the appropriate measure of compensation and the confirmation through the Written Ministerial Statement and associated interim guidance that the strategic extension of Marine Protected Measure will be delivered by Defra, should the SoS deem compensation necessary for the Project. It is expected that should compensation be required in relation the IDRBNR SAC, then the measure would be Marine Protected Area designations and/or extensions delivered by Defra. However, it should be noted that until the SoS has made their decision on any necessary compensation and detail on magnitude, cost and timing is available it is prudent for the Applicant to retain the ability to deliver other measures, even in the event there is a lack of agreement with Natural England on those measures the project is proposing to retain. It will be for the SoS to make the final decision on which method will ultimately be delivered (if deemed

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicants Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			set out in the Change Request dated 20th February 2025, the Applicant proposes to remove the following compensation measures after the release of the WMS: • Anthropogenic Pressure Removal: Marine Debris and Awareness Campaign; • Alternative measures for Annex I sandbanks and Reef; and • Seagrass bed habitat creation/restoration.		necessary), noting the Applicant's full agreement with Natural England on the appropriateness of Marine Protected Area designations and/or extensions delivered by Defra.
NE7	For all remaining "Without Prejudice" benthic compensation proposals not mentioned above, Natural England can see merit in their objectives. However, further progress is required on each measure to have confidence that they are achievable and would deliver effective compensation for project impacts. Natural England advises that further work on each measure will be required during examination before we can advise on the suitability.	D1 – No Change D2 – No Change D3 – No Change D4 – No change. Please refer to D4 Cover Letter where Natural England draws the ExA and Applicants attention to the Ministerial Statement issued on 29th January 2025 which confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund.	As set out in the Change Request dated 20th February 2025, the Applicant proposes to remove the following compensation measures after the release of the WMS: • Anthropogenic Pressure Removal: Marine Debris and Awareness Campaign; • Alternative measures for Annex I sandbanks and Reef; and • Seagrass bed habitat creation/restoration. The Applicant provided an update to the proposed compensation measures at Deadline 4, including updating the relevant compensation documentation, including the Without Prejudice Benthic Compensation Evidence Base and Roadmap (REP4-051) to provide details on the progress made on the measures to date.	Issue progressed: Please see our benthic compensation advice in Deadline 4a Appendix D1 [REP4a-136]. Statutory Nature Conservation Bodies (SNCB's) believe strategic compensation has the greatest likelihood of maintaining the coherence of the National Site Network; we do not believe there is merit in further progressing project specific compensation measures at this time. Also, please refer to D5 cover letter. Natural England supports the removal of the following project lead compensation measures from the DCO: Alternative measures for Annex I sandbanks and Reef, Marine Debris and Awareness Campaign. Seagrass habitat creation/restoration. As advised we do not consider biogenic reef habitat creation as suitable compensation for Annex I Sandbank.	Please see the Applicant's response to NE6 above.

1.4 D Benthic Compensation

Table 1.4.1 The Applicant's Current position on Risk and Issues matters – Benthic Compensation

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
1	Agreed compensation level & Scale/extent - all measures	Outcomes of the impact assessment and evidence to support the conclusions and the Worse Case Scenario (WCS) of lasting habitat loss/change of Annex I Sandbanks and Reef features from the placement of cable protection within Inner Dowsing Race Bank and North Ridge (IDRBNR) SAC and habitat disturbance of Annex I Sabellaria spinulosa reef from cable installation within IDRBNR SAC is not agreed. This is relevant to all compensation measures.	D1 – No Change D2 – No Change D3 – No Change D4 - No Change. There is still disagreement on the scale and significance of the potential impacts	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. The Applicant highlights that it has undertaken an assessment of supporting habitat for *S. spinulosa* reef within the Offshore ECC that crosses within the IDNRRB SAC. The assessment was provided to Natural England on the 18th February 2025 and the Applicant has requested a meeting in advance of Deadline 4a with Natural England to seek agreement on the methodology that would inform any commitment. The assessment has been submitted to the examination as a technical note at this Deadline, (REP4a-122). Based on this assessment the Applicant has included a commitment to the installation of removeable cable protection on the defined areas of supporting habitat for *S. spinulosa* reef within the IDRBNR SAC as further mitigation for the impacts of the	Please refer to Deadline 4a Appendix D1 [REP4a-136] and Appendix C6 at Deadline5. Natural England understands the Applicant intends to submit an update to their Annex 1 *Sabellaria spinulosa* reef supporting habitat approach at Deadline 5. Natural England will review this update and seek to engage with the Applicant in order to provide further advice to the ExA at Deadline 6 regarding the level of impact that requires compensation as part of the consenting phase, as also set out in [REP4a-136].	The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6. Natural England approved the Applicant's interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below. **Calculation Step Description / Value / Unit** Number of Cables: 4 each Length of transit for each cable through Supporting Habitat: 16562.5 m Length of transit for all cables through Supporting Habitat: 66250 m **20%** of total length: 13250 m Number of mattresses required (rounded up): 4417 each Each mattress footprint: 18 m2 Footprint within Supporting Habitat: 79506 m2 20% allowance for installation accuracy and slippage: 15901.2 m2 Total Footprint for Supporting Habitat: **95407.2** **m2** Total volume for Supporting Habitat (0.35m high): **33392.52** **m3** The Applicant awaits Natural England's final position at Deadline 6. However, the Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Dealine 6) and has updated the without prejudice compensation case to include the quantification of impact to Annex I supporting habitat. The following compensation documents have therefore been updated and submitted at Deadline 6.

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
				Project on the IDRBNR SAC at this deadline, Deadline 4A.		▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6) and, ▪ Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6)
Strategic Compensation - New site designation or Extension for Annex I Sandbanks and Reef						
2	Agreed compensation level	Due to potential uncertainties with the delivery mechanisms and timeframes for successful delivery of the measure, further discussions (outside of individual project contributions) are required to determine individual project contributions and compensatory ratios.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please refer to D4 Cover Letter. The Ministerial Statement issued on 29th January 2025 confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund. Natural England will provide further, more detailed advice, in due course for this project.	The Applicant has responded to Natural England's D4 Cover Letter submission in The Applicant's Comments on Deadline 4 Submissions (REP4a-115). In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. The Applicant has updated relevant compensation strategy documents to reflect the new guidance (REP4-047, REP4-049 and REP4-051). We await feedback from Natural England to discuss the issue and determine whether agreement is possible.	Please refer to Deadline 4a Appendix D1 [REP4a-136]. Following the written Ministerial Statement (21-January-2025) in support of progressing strategic benthic compensation in the form of Marine Protected Area (MPA) designation and/or extension of existing sites and the publication of guidance in regards to the Marine Recovery Fund (MRF); Natural England welcomes the Applicant's consideration of these within the Benthic	The Applicant maintains its position that an AEoI of the Annex I Sandbank and Annex I Reef features of the IDRBNR SAC can be excluded with the mitigation currently proposed, which includes: ▪ The avoidance of *S. spinulosa* reef (as identified in the pre-construction surveys) within the IDRBNR SAC (as detailed within the Outline Biogenic Reef Mitigation Plan (REP2-043 and secured in Condition 13(1)(j), Part 2, Schedule 11 of the DCO); and ▪ Adopting the use of removable cable protection across all Annex I sandbank features and within areas of habitat that *could* support *S. spinulosa* reef in the future, based on guidance and advice provided by Natural England (this commitment is detailed within the Outline Scour and Cable Protection Management Plan (document reference 8.21, V5, submitted at Deadline 6) and in the Outline Cable Specification and Installation Plan (document reference 8.5, V7, updated at Deadline 6), secured under condition 13(1)(d), Part 2, Schedule 11 of the DCO). Therefore, the Applicant can confidentially rule out that there should be no requirement for compensation of Annex I features of the IDRBNR SAC. If, however, the SoS disagrees, the Applicant's view of the level of impact is set out in the Without Prejudice Sandbank Compensation Plan (REP5-105) and the Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6). The Applicant agrees with Natural England that the final application to the MRF is likely to be in post-consent phase. The drafting of Parts 4 and 5, Schedule 22 of the DCO allow for this and therefore the Applicant believes this issue to be resolved.

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
					Compensation Strategy. As above we aim to agree the level of impact which requires compensation in order to apply to the Marine Recovery Fund (MRF). However, we note the application is likely to be in the post consent phase for this project.	
3	Delivery mechanism	As set out in the R4 plan level compensation document, the designation of a new site or existing site extension will be led on by a team in DEFRA in collaboration with interested parties therefore delivery mechanisms, costs and timeframes presented by the Applicant cannot and should not be relied upon.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please refer to D4 Cover Letter. The Ministerial Statement issued on 29th January 2025 confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund.	The Applicant has responded to Natural England's D4 Cover Letter submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. The Applicant has updated relevant compensation strategy documents to reflect the new guidance (REP4-047, REP4-049 and REP4-051). We await feedback from Natural England to discuss the issue and determine whether agreement is possible.	Please refer to Deadline 4a Appendix D1 [REP4a-136]. Following the written Ministerial Statement (21-January-2025) in support of progressing strategic benthic compensation in the form of Marine Protected Area (MPA) designation and/or extension of existing sites and the publication of guidance in regards to the	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. Please refer to the Applicants response to Row 2 above relating to the Applicant's view on the level of compensation.

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			Natural England will provide further, more detailed advice, in due course for this project.		Marine Recovery Fund (MRF); Natural England welcomes the Applicant's consideration of these within the Benthic Compensation Strategy. As above we aim to agree the level of impact which requires compensation in order to apply to the Marine Recovery Fund (MRF). However, we note the application is likely to be in the post consent phase for this project.	
4	Timing	There are likely to be time lags between impact occurring and strategic compensation achieving the desired outcomes. In this scenario, the project contribution to the measure to be such that it ensures an overall environmental net positive outcome for the impacted feature over the lifetime of the project.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please refer to D4 Cover Letter. The Ministerial Statement issued on 29th January 2025 confirmed DEFRA's support for delivery of strategic benthic	The Applicant has responded to Natural England's D4 Cover Letter submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. The Applicant has updated relevant	Please refer to Deadline 4a Appendix D1 [REP4a-136]. Following the written Ministerial Statement (21-January-2025) in support of progressing strategic benthic compensation in the form of Marine	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. Please refer to the Applicants response to Row 2 above relating to the Applicant's view on the level of compensation.

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			compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund. Natural England will provide further, more detailed advice, in due course for this project.	compensation strategy documents to reflect the new guidance (REP4-047, REP4-049 and REP4-051). We await feedback from Natural England to discuss the issue and determine whether agreement is possible.	Protected Area (MPA) designation and/or extension of existing sites and the publication of guidance in regards to the Marine Recovery Fund (MRF); Natural England welcomes the Applicant's consideration of these within the Benthic Compensation Strategy. As above we aim to agree the level of impact which requires compensation in order to apply to the Marine Recovery Fund (MRF). However, we note the application is likely to be in the post consent phase for this project.	
5	Location, Implementation and Additionality	For strategic compensation, the location, long term implementation and success criteria/ability to	D1 – No Change D2 – No Change D3 – No Change	The Applicant has responded to Natural England's D4 Cover Letter submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115).	Please refer to Deadline 4a Appendix D1 [REP4a-136]. Following the	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. Please refer to the Applicants response to Row 2 above relating to the Applicant's view on the level of compensation.

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		prove additionality will be determined by DEFRA, in consultation with Natural England and JNCC. This is still under consideration and as yet nothing has been agreed and/or secured.	D4 - No change. Please refer to D4 Cover Letter. The Ministerial Statement issued on 29th January 2025confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund. Natural England will provide further, more detailed advice, in due course for this project.	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. The Applicant has updated relevant compensation strategy documents to reflect the new guidance (REP4-047, REP4-049 and REP4-051). We await feedback from Natural England to discuss the issue and determine whether agreement is possible.	written Ministerial Statement (21-January-2025) in support of progressing strategic benthic compensation in the form of Marine Protected Area (MPA) designation and/or extension of existing sites and the publication of guidance in regards to the Marine Recovery Fund (MRF); Natural England welcomes the Applicant's consideration of these within the Benthic Compensation Strategy. As above we aim to agree the level of impact which requires compensation in order to apply to the Marine Recovery Fund (MRF). However, we note the application is likely to be in the post	

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					consent phase for this project.	
6	Impacts to supporting habitats	Lasting loss/change of supporting habitat for Annex I Sabellaria spinulosa reef from the placement of cable protection will further hinder the restore conservation objective for this feature as the seabed will no longer be available for Annex I S. spinulosa reef restoration. The scale and significance of the impact and required compensation for this feature is likely to be considerably greater than presented.	D1 – No Change D2 – No Change D3 – No Change D4 - No Change. Please see Tab C Benthic & Intertidal Ecology for why this remains the case	The Applicant has responded to Natural England's Tab C Benthic & Intertidal Ecology submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). The Applicant highlights that it has undertaken an assessment of supporting habitat for *S. spinulosa* reef within the Offshore ECC that crosses within the IDNRRB SAC. The assessment was provided to Natural England on the 18th February 2025 and the Applicant has requested a meeting in advance of Deadline 4a with Natural England to seek agreement on the methodology that would inform any commitment. The assessment has been submitted to the examination as a technical note at this Deadline, (REP4a-122). Based on this assessment the Applicant has proposed a commitment to the installation of removeable cable protection on the defined areas of supporting habitat for *S. spinulosa* reef within the IDRBNR SAC as further mitigation for the impacts of the Project on the IDRBNR SAC at this deadline, ,Deadline 4A ,(subject to the ExA's confirmation that this	Please refer to our advice in Tab C and Deadline 4a Appendix D1. We await the Applicant's updated Annex I supporting habitat for Annex I reef technical note to determine the agreed area of impact for compensation requirements.	The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6). Natural England approved the Applicant's interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below. **Calculation Step Description / Value / Unit** Number of Cables: 4 each Length of transit for each cable through Supporting Habitat: 16562.5 m Length of transit for all cables through Supporting Habitat: 66250 m **20%** of total length: 13250 m Number of mattresses required (rounded up): 4417 each Each mattress footprint: 18 m2 Footprint within Supporting Habitat: 79506 m2 20% allowance for installation accuracy and slippage: 15901.2 m2 Total Footprint for Supporting Habitat: **95407.2** **m2** Total volume for Supporting Habitat (0.35m high): **33392.52** **m3** The Applicant awaits Natural England's final position at Deadline 6. However, the Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Deadline 6) and has updated the without prejudice compensation case to include the quantification of impact to Annex I supporting habitat. The following compensation documents have therefore been updated and submitted at Deadline 6. ▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6) and, ▪ Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6)

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				should not be treated as a change - See change notification submitted by the Applicant on 20th February 2025 (REP4a-122)). The Applicant hopes that this information will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.		
7	Further limitations	Limited geotechnical and geophysical survey data has been presented with the Cable Burial Risk Assessment [APP-142] and the Cable Specification and Installation plan [APP- 278] to have confidence that the cables can be buried to optimum cable burial depth. In addition, there is limited consideration of the highly dynamic sediment transport/marine processes within IDRBNR SAC which may have implications for cable burial over the lifetime of the project. Therefore, we are concerned that the WCS presented for cable protection within IDRBNR SAC may not be realistic.	D1 – No Change D2 – No Change D3 – No Change D4 - No Change. Please see Tab C Benthic & Intertidal Ecology for why this remains the case	The Applicant has responded to Natural England's Tab C Benthic & Intertidal Ecology submission in The Applicant's Comments on Deadline 4 Submissions (REP4a-115). The Applicant awaits feedback from Natural England to discuss the issue and determine whether agreement is possible.	D5 – No change	The Applicant has provided an Outline SPCPMP (REP4-080) which set out what information will be contained within the final SPCPMP pre-construction, including details of the worst-case scenario for cable and scour protection for the Project and relevant mitigation measures, as well as a summary of the early stage Cable Burial Risk Assessment (CBRA) (APP-142) which the Applicant submitted alongside the Application. The requirement for a SPCPMP to be submitted to the MMO for approval is set out at condition 13(d)(iii) of Schedules 10 and 11 of the DCO. The Applicant considers this matter to be resolved. Please view The Applicant's Comments on Natural England's Appendix D1 - Natural England's Advice on Benthic Compensation and Mitigation (REP5-150), which provides the response to clarification being sought on the WCS/MDS and are summarise below: i) The Applicant can confirm there will be four export cables buried within four separate trenches across the offshore ECC, including the area that crosses the IDRBNR SAC. There could be up to 6 interlink cables across the Array Area. ii) ii) The Applicant can confirm that the figures noted by Natural England align with the Project's consideration for Worst Case Scenario for the Annex I sandbank features within the SAC. The figures have been calculated based on the use of removable remedial protection methods, using concrete mattresses as an

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example, which typically measure 6m x 3m in footprint. A detailed breakdown of the figures is provided below:

Calculation Step Description	Value	Unit
Number of Cables	4	each
Length of transit for each cable through each Annex Sandbanks (both same width)	4000	m
Length of transit for each cable through both Annex 1 Sandbanks	8000	m
Total Cable length in Annex 1 Sandbanks	32000	m
5% of total length	1600	m
Anticipated number of mattresses required	266.6667	each
Anticipated each mattress footprint	18	m^2
Total footprint within Annex I Sandbanks	4800	m^2
20% allowance for installation accuracy and slippage	960	m^2
Total footprint for both sandbanks	**5760**	**m^2**
Total footprint for each sandbank (half of above)	**2880**	**m^2**

iii) The Applicant can confirm that 227,556m^2 is the correct figure, this has been updated in Chapter 3 Project Description (REP5-008), RIAA (document reference 7.1, V5, submitted at Deadline 6) and Chapter 9 Benthic and Intertidal Ecology (REP5-019) at Deadline 5.

iv) iv) The Applicant has submitted their interpretation of the supporting habitat for S. spinulosa to Natural England for review, seeking agreement on the interpretation of the methodologies involved (*Sabellaria spinulosa* Reef Supporting Habitat Technical Note, (document reference 22.11, V3, submitted at Deadline 6) and are awaiting final confirmation on the Applicant's interpretation of methods from Natural England. However, based on the latest comments from Natural England (received, 24 February 2025) the Applicant anticipates that the offshore export cables will cross an area of supporting habitat which would total approximately 75% of the area outside Annex I

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						sandbank features within the IDRBNR SAC and approximately 25% of the area would be classified as non-supporting habitat. Based on this percentage split, 170,667m2 of 227,556m2 would interact with supporting habitat for S. spinulosa reef. However, it should be noted that the Applicant has committed to installing removable cable protection within areas identified as potentially supporting habitat for S. spinulosa reef, and these original area figures are based on the use of rock protection which has a larger footprint. In addition to clarifications above, the Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6). Natural England approved our interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below.

Calculation Step Description	Value	Unit
Number of Cables	4	each
Length of transit for each cable through Supporting Habitat	16562.5	m
Length of transit for all cables through Supporting Habitat	66250	m
20% of total length	13250	m
Number of mattresses required (rounded up)	4417	each
Each mattress footprint	18	m2
Footprint within Supporting Habitat	79506	m2
20% allowance for installation accuracy and slippage	15901.2	m2
Total Footprint for Supporting Habitat	**95407.2**	**m2**
Total volume for Supporting Habitat (0.35m high)	**33392.52**	**m3**

Alternative measures for Annex I Sandbanks and Reef

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8	Theoretical merit	This option is not considered viable within the Project's timeframe. If the Applicant wishes to pursue this there will need to be agreement from The Crown Estate for a seabed lease and management measures put into place. It currently remains unclear how this measure will ensure the coherence of the National Site Network. This measure is outside of NE remit therefore the Applicant will need to liaise with TCE, DEFRA, MMO (and EIFCA depending on location).	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	As set out in the Change Request dated 20th February 2025 (Document Reference 22.21), the Applicant proposes to remove the following compensation measures after the release of the WMS: ▪ Anthropogenic Pressure Removal: Marine Debris and Awareness Campaign; ▪ Alternative measures for Annex I sandbanks and Reef; and ▪ Seagrass bed habitat creation/restoration. The Applicant therefore anticipates that this Issue is now resolved and will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	D5 - Natural England notes this measure has been removed from the DCO [REP4a-007]. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.
Anthropogenic Pressure Removal – Redundant Infrastructure for Annex I Sandbanks						
9	Theoretical merit to deliver compensation	There is no evidence that redundant telecoms cables are causing a significant impact on the Annex I Sandbank feature of the	D1 – No Change D2 – No Change D3 – No Change	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information	No change at Deadline 5. Please refer to advice in Deadline 4a	The Applicant welcomes alignment with Natural England on the appropriate measure of compensation and the confirmation through the Written Ministerial Statement and associated interim guidance that the strategic

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		IDRBNR SAC or other benthic designated sites. Unless further supportive detailed evidence is provided, Natural England does not consider their removal to constitute suitable compensation as a primary measure.	D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 in Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures. D5 -	into the Examination to date which justifies the Applicant's position. The Applicant welcomes alignment with Natural England on the appropriate measure of compensation and the confirmation through the Written Ministerial Statement and associated interim guidance that the strategic extension of Marine Protected Measure will be delivered by Defra, should the SoS deem compensation necessary for the Project. It is expected that should compensation be required in relation the IDRBNR SAC, then the measure would be Marine Protected Area designations and/or extensions delivered by Defra. However, it should be noted that until the SoS has made their decision on any necessary compensation and detail on magnitude, cost and timing is available it is prudent for the Applicant to retain the ability to deliver other measures, even in the event there is a lack of agreement with Natural England on those measures the project is proposing to retain. It will be for the SoS to make the final decision on which method will	Appendix D1 [REP4a-136].	extension of Marine Protected Measure will be delivered by Defra, should the SoS deem compensation necessary for the Project. It is expected that should compensation be required in relation the IDRBNR SAC, then the measure would be Marine Protected Area designations and/or extensions delivered by Defra. However, it should be noted that until the SoS has made their decision on any necessary compensation and detail on magnitude, cost and timing is available it is prudent for the Applicant to retain the ability to deliver other measures, even in the event there is a lack of agreement with Natural England on those measures the project is proposing to retain. It will be for the SoS to make the final decision on which method will ultimately be delivered (if deemed necessary), noting the Applicants full agreement with Natural England on the appropriateness of Marine Protected Area designations and/or extensions delivered by Defra.

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				ultimately be delivered (if deemed necessary), noting the Applicants full agreement with Natural England on the appropriateness of Marine Protected Area designations and/or extensions delivered by Defra.		
10	Technical feasibility	There is limited evidence that the cables are sufficiently present on the surface of Annex I Sandbanks at both a spatial and temporal scale to be hindering the conservation objectives of the designated sites and the attributes of Annex I sandbanks. Once this can be demonstrated then commitments with the cable owners will need to be secured.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 in Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136].	As set out at within the Without Prejudice Benthic Compensation Evidence Base and Road Map (document reference 7.6.3, V4, submitted at Deadline 6), initial investigations indicate that there appears to be enough redundant infrastructure intersecting with sandbank features potentially available for removal at both the 1:1 and 2:1 ratio. Surveys for infrastructure would be undertaken to confirm extent of effect from specific cables post-consent to inform this measure (if required and selected). However, in light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project.

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			compensation measures.			
11	Location of measure	The location of the measure has not been presented in detail and/or agreed with the SNCBs.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 in Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136].	The Applicant believes that sufficient information has been provided to indicate the availability of infrastructure for removal at this stage. The final locations would be agreed post-consent. Surveys for surface exposed infrastructure would be undertaken to confirm extent of effect from specific cables post-consent, if granted, to inform this measure (if required and selected). However, in light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project.
12	Long term implementation	In order to provide the Secretary of State with the necessary comfort that the removal of redundant	D1 – No Change D2 – No Change D3 – No Change	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has	No change at Deadline 5. Please refer to advice in Deadline 4a	The Applicant has provided some high-level information regarding monitoring and adaptive management measures which could be implemented if required within the Without Prejudice Benthic Compensation Evidence Base and

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		infrastructure can be sufficiently progressed during the consenting phase, the intention for monitoring and adaptive management [APP-245] should be set out in more detail. It is anticipated as the examination progresses this measure is either more thoroughly progressed or removed as an option if not.	D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 in Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	provided sufficient information into the Examination to date which justifies the Applicant's position.	Appendix D1 [REP4a-136].	Road Map (document reference 7.6.3, V4, submitted at Deadline 6). However, in light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project.
13	Success criteria/Ability to prove additionality	Please see comments regarding the technical feasibility of this proposed measure. Until this is resolved, success criteria and additionality would be hard to determine.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 in Appendix K [REP2-074] where	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136].	The Applicant has provided some high-level information regarding evidence for potential success and ability to provide additionality within the Without Prejudice Benthic Compensation Evidence Base and Road Map (document reference 7.6.3, V4, submitted at Deadline 6). Monitoring and adaptive management measures which could be implemented if required are presented in high level within this document and would be developed further if this measure was chosen. However, in light of the updated guidance from DEFRA and the support for the strategic compensation, the

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			Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.			Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project.
14	Suitable as sole measure for target species	While Natural England considers that the removal of redundant infrastructure could be progressed as a sole measure it remains unclear if there are sufficient surface laid/exposed telecom cables on Annex I sandbanks to fully mitigated the potential project impacts. We would be supportive of this proposal being progressed as part of package if not.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 in Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136].	Surveys for surface exposed infrastructure would be undertaken to confirm extent of effect from specific cables post-consent, if granted, to inform this measure (if required and selected). There is the potential that if sufficient security can be achieved in the strategic compensation option, this option may be removed. However, in light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project.

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			difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.			
15	Impacts of telecoms within the National Site Network	Information on amount and location of surface laid/exposed cables and the spatial and temporal extent of those are required.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 in Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136].	Surveys for surface exposed infrastructure would be undertaken to confirm extent of effect from specific cables post-consent, if granted, to inform this measure (if required and selected). There is the potential that if sufficient security can be achieved in the strategic compensation option, this option may be removed. However, in light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project.

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			stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.			
Anthropogenic Pressure Removal - Aggregates Industry Pressures for Annex I Sandbanks						
16	Theoretical merit	Natural England is supportive of the option for a percentage buyout of aggregate licence(s) as a compensation measure for Annex I Sandbank. Reduction of existing pressure on Annex I sandbanks would help restore Annex I sandbanks, prior to any licence renewal. We therefore encourage further detail to be included within the Application of any agreements with Aggregates industry that this measure has potential for.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation.	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.

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			specific benthic compensation measures.			
17	Technical feasibility	Natural England believes this is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks. However, there is currently no certainty that this measure can be secured.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation.	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.
18	Timing	It is unclear if this measure can be delivered prior to the impacts occurring.	D1 – No Change D2 – No Change	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The	No change at Deadline 5. Please refer to advice in	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However,

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			D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation.	the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.
19	Location of measure	The location of the measure has not been presented in detail and/or agreed with the SNCBs.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the	No change at Deadline 5. Please refer to advice in Appendix D1 [REP4a-136] for our position regarding preference for	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.

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			Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	Applicants response at Row 9 of this document.	strategic compensation.	
20	Long term implementation	In order to provide the Secretary of State with the necessary comfort that the removal of aggregate pressures can be sufficiently progressed during the consenting phase, the intention for monitoring and adaptive management [APP-245] should be set out in more detail. It is anticipated as the examination progresses this measure is either more thoroughly	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation.	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.

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		progressed or removed as an option if not.	come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.			
21	Success criteria/Ability to prove additionality	The success criteria/ability to prove additionality is yet to be considered in detail and agreed with the SNCBs.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Appendix D1 [REP4a-136] for our position regarding preference for	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.

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			compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures. strategic compensation.			
22	Suitable as a sole measure for target species	While Natural England considers that the buyout of Aggregate licences could be progressed, it remains unclear if there are any options open to the Applicant to deliver this measure either as a sole measure or as part of a package.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation.	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.

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			merit in progressing and/or placing reliance upon project specific benthic compensation measures.			
23	Active licence areas willing to be bought out	Information on amount and location of available active licence locations open to being bought is required.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 Appendix K [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation.	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant retains this compensation option due to it being as it is technically feasible as there are active Aggregate licences within the National Site Network which interact with Annex I sandbanks.

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Anthropogenic Pressure Removal - Marine Debris and Awareness campaign for Annex I Sandbanks and Reef						
24	General	The SNCBs are not supportive of the measure for marine debris awareness campaign. Marine Debris Removal is not included in DEFRA's Strategic Compensation Library of Measures nor the R4 Plan Level Strategic compensation measure. This measure must be removed from the list of proposed compensation measures.	D1 – No Change D2 – No change. Please see our response to Q1 HRA 2.14 for further clarification. D3 – No Change D4 – No Change	As set out in the Change Request dated 20th February 2025 (Document Reference 21.22), the Applicant proposes to remove the Anthropogenic Pressure Removal - Marine Debris and Awareness campaign for Annex I Sandbanks and Reef compensation measure. The Applicant therefore anticipates that this Issue is now resolved and will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	Natural England notes this measure has been removed from the DCO [REP4a-007]. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.
Creation of Biogenic Reef						
25	Annex I Sandbanks	Natural England refers the ExA to the published 'Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan' (April 2024). The Round 4 Plan Level Benthic Compensation Steering Group considered that Reef creation/enhancement is not of comparable ecological function to Annex I sandbank and is therefore not an appropriate measure for sandbank compensation. We consider the same to be true for sandbank	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for	The Applicant understands Natural England's concerns however, it should be noted that until the SoS has made their decision on any necessary compensation, and detail on magnitude, cost and timing on any MPA designation or extension delivered by Defra is available, it is prudent for the Applicant to retain the ability to deliver other measures, even in the event there is a lack of agreement with Natural England on those measures the Applicant is proposing to retain. Whilst biogenic reef seeding for compensation to Annex I sandbank would comprise a non-like-for-like measure for Annex I sandbanks, within the IDRBNR SAC, sandbanks and biogenic reef features are often co-located and provide complementary ecosystem services. As such, this measure would support the integrity of the wider National Site Network through supporting the key component communities associated with a combination of sandbank and reef habitats.

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		systems within IDRBNR SAC and provide no further comment on this measure.	context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.		Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5.	
26	Theoretical merit Annex I Reef	The creation/restoration of other reef features should not be at the detriment of existing Annex I habitats within IDRBNR SAC and/or hinder Annex I Sabellaria spinulosa reef restoration. If reef creation was to be progressed we would be more inclined towards Blue Mussel (Mytilus edulis) reef than Oyster reef which is not proven to have been historically found within the site. Natural England advises that this proposal to compensation for Annex I reef requires further development to provide the necessary confidence in it as a measure.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, as outlined within the Without Prejudice Benthic Compensation Evidence Base and Road Map (document reference 7.6.3, V4, submitted at Deadline 6), the Applicant considers that this proposed measure will provide benefits to ecological function of the overall MPA if delivered for either biogenic reef or sandbank feature. Whilst this would comprise a non-like-for-like measure for Annex I sandbanks, within the IDRBNR SAC, sandbanks and biogenic reef features are often co-located and provide complementary ecosystem services. As such, this measure would support the integrity of the wider National Site Network through supporting the key component communities associated with a combination of sandbank and reef habitats.

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			and/or placing reliance upon project specific benthic compensation measures.		seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5	
27	Technical feasibility – Annex I Reef	There is limited evidence to suggest why Oyster and Blue Mussel reef are not/no longer present with IDRBNR SAC and there are no guarantees of success. In particular, the recreation of Oyster beds is proving to be challenging. Natural England advises that this proposal to compensation for Annex I reef requires further development to provide the necessary confidence in it as a measure.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	D5 - No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant has provided information on technical feasibility within section 5 of the Without Prejudice Benthic Compensation Evidence Base and Road Map [APP-248], where the results of the habitat suitability assessment are also presented and based on a subset of key environmental variables. Furthermore, this document presents the detail the creation process, project logistics, ecological risks and challenges will be. This would be developed further if this project was taken forward with a Biogenic Reef Compensation Steering Group, which would include key stakeholders, regulators and restoration practitioners and details (including limitations and risks) presented within the final Biogenic Reef Compensation Implementation and Monitoring Plan. The Applicant notes that the SoS was satisfied that this measure could be successful for delivering MEEB for another project (Sheringham Shoal and Dudgeon Extension Projects) and as such the ExA can have confidence that this measure can, in principle, be relied on as a viable compensation measure (if required).

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			compensation measures.		within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5	
28	Agreed compensation level Annex I Reef	Due to potential uncertainties with the delivery mechanisms and timeframes for successful delivery of the measure, further discussions are required in relation to compensatory ratios which may be required. The Applicants' assessments should be undertaken in line with SNCB advice to aid in informing compensation measures.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	D5 - No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant believes that a reasonable worse case for cable protection has been considered and assessed as part of the assessments and is presented in detail within Section 4.3 of the Without Prejudice Sandbank Compensation Plan [REP5-106] and within Section 4.3 of the Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6).

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					Q.89 in Appendix K3 at Deadline 5	
29	Scale/extent of measure – Annex I Reef	The scale/extent of the measure has not been presented in detail and/or agreed with Natural England, JNCC or DEFRA.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant has presented details on site selection and scale within the Without Prejudice Benthic Compensation Evidence Base and Road Map (document reference 7.6.3, V4, submitted at Deadline 6). Here the results of the habitat suitability assessment are based on a subset of key environmental variables and presented. The target size of the biogenic reef bed(s) to be created would be determined based on the predicted magnitude of long-term habitat loss from cable installation or protection measures, acceptable habitat compensation ratios, and the size required to establish healthy and viable beds.

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30	Timing Annex I Reef	We do not believe that this measure will be available in the project timeframes. The proposal for compensation for Annex I reef requires further development to provide the necessary confidence in it as a measure	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant is confident that this measure is deliverable in the project timeframes. Details of which are presented in the Without Prejudice Benthic Compensation Evidence Base and Road Map (document reference 7.6.3, V4, submitted at Deadline 6).
31	Location of measure Annex I Reef	The location of the measure has not been presented in detail and/or agreed with Natural	D1 – No Change D2 – No Change D3 – No Change	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has	No change at Deadline 5. Please refer to advice in Deadline 4a	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the results of the habitat suitability assessment for the recreation of Annex

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		England, JNCC or DEFRA. Until further evidence is provided to refine down the 17 areas of search to 1 or maybe 2 locations the potential impacts on Annex I features within the SAC and/or the conservation objectives for the site, can't be assessed. Therefore, at this time we are unable to support the inclusion of Schedule 16 and/or the 17-location s proposed.	D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document. .	Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5	I reef, based on a subset of key environmental variables are presented in the Without Prejudice Benthic Compensation Evidence Base and Road Map (document reference 7.6.3, V4, submitted at Deadline 6).
32	Long term implementation Annex I Reef	In order to provide the Secretary of State with the necessary comfort that the removal of redundant infrastructure can be sufficiently progressed during the consenting phase, the intention for	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074]	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, the Applicant has provided some high level information regarding monitoring and adaptive management measures which could be implemented if required within the Without Prejudice Benthic Compensation Evidence Base and Road Map (document reference 7.6.3, V4, submitted at Deadline 6).

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		monitoring and adaptive management [APP-245] should be set out in more detail. It is anticipated as the examination progresses this measure is either more thoroughly progressed or removed as an option if not.	where Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.	Applicants response at Row 9 of this document.	preference for strategic compensation and detailed advice on this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5	
33	Success criteria/Ability to prove additionality Annex Reef	Please see comments regarding the technical feasibility of this proposed measure. Until this is resolved, success criteria and additionality would be hard to determine.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] where Natural England highlights that the progression of strategic	The Applicant has responded to Natural England's response to Q1 HRA 2.14 (REP3-054). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. Please also see the Applicants response at Row 9 of this document.	No change at Deadline 5. Please refer to advice in Deadline 4a Appendix D1 [REP4a-136] for our position regarding preference for strategic compensation and detailed advice on	In light of the updated guidance from DEFRA and the support for the strategic compensation, the Applicant maintains that the strategic delivery of an SAC extension is the preferred compensation for the Project. However, work on the feasibility/success analysis will commence post-consent, if required, to determine which areas within the IDRBNR SAC would be most suitable for the creation of mussel beds based on habitat requirements, the footprint of human pressures and the feasibility of implementing reef protection measures. This work will involve an extension to the current habitat suitability mapping to include further variables known to affect biogenic reef distribution. The need for modelling to assess larval dispersal pathways and retention rates will be investigated, and the review of past restoration projects will be continued to identify optimal reef creation

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			compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.		this measure. We reiterate our advice that the creation of biogenic reef is not appropriate compensation for Annex I Sandbanks. We advise the biogenic reef seeding measure is removed from Sandbank measure including within the DCO. Please also see our response to RIES Q.89 in Appendix K3 at Deadline 5	methods and to develop restoration targets and monitoring parameters. The results of the feasibility study will also inform the scope of any further survey work that would be required to finalise site selection and deployment decisions.
Seagrass Habitat Creation/Restoration for Annex I Sandbanks						
34	Theoretical merit to deliver compensation	Seagrass restoration is a lower preference measure compared to those supporting the same ecological function of the habitat being compensated for. Subtidal seagrass has not been found within IDRBNR SAC, .	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England highlights that the progression of strategic compensation has come about due to	As set out in the Change Request dated 20th February 2025 (Document Reference 21.22), the Applicant proposes to remove the Seagrass Habitat Creation/Restoration for Annex I Sandbanks compensation measure. The Applicant therefore anticipates that this Issue is now resolved and will be reflected in the next version of the Risk and Issues Log submitted by Natural England.	Natural England notes this measure has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this decision. We advise the relevant compensation documents are updated to reflect	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

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			the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.		the amendments to the DCO.	
35	Technical feasibility	The published 'Offshore Wind Leasing Round 4 Dogger Bank Strategic Compensation Plan' (April 2024), section 3.4.3 sets out "concerns about the deliverability of seagrass restoration, even on a small scale as there have been no long term successes with seagrass restoration in the UK. Seagrass restoration is included as a potential measure only where it would be a minor part of a wider package in terms of the required compensation....". This is also applicable to ODOW compensation. NE will	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this		D5 - Natural England notes this measure has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	

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		provide further comment on the technical feasibility during examination .	stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.			
36	Timing: Deliverable before impact	It is unclear if this measure can be delivered prior to the impacts occurring.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic		Natural England notes this measure has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			compensation measures.			
37	Location of measure	The location of the measure has not been presented in detail and/or agreed with the SNCBs.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.		Natural England notes this measure has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	
38	Long term implementation	In order to provide the Secretary of State with the	D1 – No Change		Natural England notes this measure	

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		necessary comfort that the removal of redundant infrastructure can be sufficiently progressed during the consenting phase, the intention for monitoring and adaptive management [APP-245] should be set out in more detail. It is anticipated as the examination progresses this measure is either more thoroughly progressed or removed as an option if not.	D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.		has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	
39	Success criteria/Ability to prove additionality	This is yet to be considered in detail and agreed with the SNCBs.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England		Natural England notes this measure has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this	

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.		decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	
40	Suitable as sole measure for target species	This measure could only be considered as part of a package providing <10% of the required compensation and/or potential adaptive management for part delivered compensation. There would also be a requirement for the provision of subtidal seagrass, not intertidal. Therefore, we advise that other measures are progressed first. If other projects are being progressed then there is an	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project		Natural England notes this measure has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		expectation this compensation will not be taken forward.	specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project specific benthic compensation measures.			
41	Details on project to be progressed	Further details on following should be provided on the particular project/s to be supported by ODOW, how this will be secured in the DCO, the location, and in what form the Applicant will provide the compensation; and how it will be demonstrated to be additional to what the seagrass project already has entrained. It is also unclear how success will be demonstrated.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England draws the EXA to our response to Q1 HRA 2.14 [REP2-074] Natural England highlights that the progression of strategic compensation has come about due to the extreme difficulties in delivering project specific benthic compensation. In this context and at this stage, we do not believe that there is merit in progressing and/or placing reliance upon project		Natural England notes this measure has been removed from the DCO [REP4a-007] for both Annex I Reef and Sandbank measures. We support this decision. We advise the relevant compensation documents are updated to reflect the amendments to the DCO.	

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			specific benthic compensation measures.			
Other Detailed Advice						
42	D1	The Without Prejudice Benthic Compensation Strategy [APP-243] should be updated in light of comments provided.	D1 – No Change D2 – No Change D3 – No Change D4 - No Change. Not further updates provided by the Applicant. Updates to the RIAA will be key to this and therefore we will advise further after Deadline 4.	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) (REP4-030) at Deadline 4 and suite of compensation documents including Without Prejudice Benthic Compensation Evidence Base and Roadmap (REP4-051) to reflect the updates made in the WMS.	No change. Please Refer to Deadline 4a Appendix D1 [REP4a-136] and Appendix C6 at Deadline5.	The Without Prejudice Benthic Compensation Evidence Base and Roadmap (REP4-051) was updated to reflect the updates made in the WMS and to remove the following compensation measures: ▪ Anthropogenic Pressure Removal: Marine Debris and Awareness Campaign; ▪ Alternative measures for Annex I sandbanks and Reef; and ▪ Seagrass bed habitat. The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6). Natural England approved the Applicant's interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025. The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below.

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						<table><tr><th>Calculation Step Description</th><th>Value</th><th>Unit</th></tr><tr><td>Number of Cables</td><td>4</td><td>each</td></tr><tr><td>Length of transit for each cable through Supporting Habitat</td><td>16562.5</td><td>m</td></tr><tr><td>Length of transit for all cables through Supporting Habitat</td><td>66250</td><td>m</td></tr><tr><td>20% of total length</td><td>13250</td><td>m</td></tr><tr><td>Number of mattresses required (rounded up)</td><td>4417</td><td>each</td></tr><tr><td>Each mattress footprint</td><td>18</td><td>m2</td></tr><tr><td>Footprint within Supporting Habitat</td><td>79506</td><td>m2</td></tr><tr><td>20% allowance for installation accuracy and slippage</td><td>15901.2</td><td>m2</td></tr><tr><td>Total Footprint for Supporting Habitat</td><td>95407.2</td><td>m2</td></tr><tr><td>Total volume for Supporting Habitat (0.35m high)</td><td>33392.52</td><td>m3</td></tr></table> The Applicant awaits Natural England's final position at Deadline 6. However, the Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Deadline 6) and has updated the without prejudice compensation case to include the quantification of impact to Annex I supporting habitat. The following compensation documents have therefore been updated and submitted at Deadline 6. ▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6) and, ▪ Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6)
43	D2	It is noted in Section 2 of the Without Prejudice Sandbank Compensation Plan [APP-244] avoidance of placing infrastructure within IDRBNR SAC hasn't been possible. Nor has the avoidance of an AEoI. The predicted impacts are therefore outside of the parameters of the Crown Estate (TCE) plan-level	D1 – No Change D2 – No Change D3 – No Change No change. Natural England notes the Applicant's response in PD1-071. Natural England's is concerned that AEOI on IDRBNR SAC at the	The Applicant reiterates that the outcomes from The Crown Estates Plan Level HRA do not pre-judge the project level HRA process as stated in The Crown Estate's Record of Appropriate Assessment at paragraph 5.2.2.4 which states *"The assessment does not replace the information requirements of project level HRA and does not*	No further update to our advice at Deadline 5. We refer you to RIES Q.15 in Appendix K3 at Deadline 5	The Applicant wishes to highlight that it is not correct for Natural England to state "*We note that an AEoI was not predicted for IDRNNR SAC at the plan level due to avoidance of the site*." as this was not the case. The plan-level HRA undertaken by The Crown Estate for Offshore Wind Leasing Round 4 did not undertake a project-specific assessment of the Project's ECC as the cable route was not known at the time the plan-level HRA was undertaken, rather it undertook a high-level risk-based approach based on broad cable regions. This is clearly set out in section 6.2.1 of The Crown Estate's Record of Appropriate Assessment which states (our emphasis added): *"NIRAS (2022) undertook an Export Cable Region Assessment ("ECRA") for European Sites and features for which the Screening Report (NIRAS, 2021) identified a risk of LSE from an Export Cable Region. Due to the considerable*

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		HRA, which concluded that there will be no AEoI from the installation of ODOW cables through IDRBNR SAC. Consideration should be given to the impacts of the Race Bank offshore windfarm cabling within IDRBNR SAC and the ongoing cable exposures occurring for that project.	Plan Level was discounted due to certainty around avoiding the designated site and therefore without further understanding of the seabed lease requirements we are unable to advise on whether environmental conditions required by TCE are being met by the Applicant. However, we note in section 6.2.8 of the Plan Level HRA where there is potential overlap with red risk sites '...affected developers must avoid irreparable damage (loss of a non-recoverable habitat) to these red risk features. Evidence should be submitted to The Crown Estate at the route selection and refinement stage outlining avoidance measures, mitigation and installation	*attempt to pre-empt their conclusions."* The Applicant entered into a Transmission Assets Agreement for Lease with The Crown Estate on 17th October 2024 as set out in the Applicant's planning obligations and side agreements tracker (REP1-023), and in doing so demonstrated to The Crown Estate that it had complied with all necessary obligation placed upon it. The Applicant does not consider Natural England's concerns to be relevant to the DCO Application and this examination. As such the Applicant does not intend to comment on this matter further.		*uncertainty associated with cable routes for the Preferred Projects (not yet defined) the ECRA has taken a risk- based approach (consideration of both the vulnerability of features and the vulnerability of the Protected Sites) to the potential impacts arising from the installation of offshore wind farm export cables and their associated infrastructure.* ***The Crown Estate has concluded that it is not possible to undertake a reasonable and meaningful assessment of cable route impacts due to this uncertainty.****"* The Crown Estate Record of Appropriate Assessment goes on to confirm that this risk based assessment does not replace the need for, or prejudge the outcome of, project level assessments undertaken as part of the DCO process at section 6.2.4 (our emphasis added): *"The ECRA has been used to evaluate the overall risk of an AEOSI from each Export Cable Region (and the Export Cable Regions collectively), alone and in-combination with other plans and projects.* ***The assessment does not replace the information requirements of project level HRAs and does not attempt to pre-empt their conclusions.****"* The Crown Estate Record of Appropriate Assessment then goes on to explain the plan-level mitigation measures that apply at initial route selection stage (i.e. not at the Project level stage), and state at paragraph 6.2.7 (our emphasis added): *"The mitigation measures identified will be secured through the Agreements for Lease and* ***leaseholders will be required to demonstrate compliance with the mitigation measures in order to obtain an Agreement for Lease for any transmission assets****."* The Crown Estate subsequently confirmed to the Applicant that the necessary requirements of the plan-level HRA had been satisfied to the satisfaction of The Crown Estate in June 2023 to enable an Agreement for Lease for the transmission assets to be entered into and this was completed on 17th October 2024. The ExA and the SoS can therefore be satisfied that there is no conflict between the Project and the plan-level HRA and that the Project complies with the policies set out at paragraphs 2.8.119 and 2.8.123 of NPS EN-3.

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			methods to reduce impacts depending on the type of risk.' We therefore believe that this issue is unlikely to be resolved during examination due to professional differences in relation to what is considered 'irreparable damage', with Natural England identifying the use of cable protection as irreparable damage. We also do not believe that all mitigation measures in Section 2.7 of the Plan Level RIAA for Category 3 projects has been fully considered at the project level.			
44	D3	The Outline Sandbank Compensation Implementation and Monitoring Plan [APP-245] is a skeleton document of what will be included post consent. Therefore, we are unable to provide comment at this time on its content. It is not clear if	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please refer to D4 Cover Letter. The Ministerial Statement issued on 29th January 2025	The Applicant has responded to Natural England's D4 Cover Letter submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). A suite of documents was updated at deadline 4 to reflect the updates in Defra's WMS including the Without Prejudice Sandbank Compensation Plan (REP4-047).	No change. Please Refer to Appendix D1 [REP4a-136].	The Applicant has responded to Appendix D1 (REP4a-136) in Table 1.2 of The Applicant's Comments on Deadline 4a Submissions (REP5-150). The Applicant can confidentially rule out that there should be no requirement for compensation of Annex I features of the IDRBNR SAC. If, however, the SoS disagrees, the Applicant's view of the level of impact is set out in the Without Prejudice Sandbank Compensation Plan (REP5-105) and the Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6).

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		this is the most appropriate approach if Strategic Compensation is taken forward.	confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund. Natural England will provide further, more detailed advice, in due course for this project.	Should the Secretary of State conclude an adverse effect on integrity for this feature, the Applicant would be required to submit a Sandbank Compensation Implementation and Monitoring Plan (SCIMP) irrespective of whether any compensation which may be required is delivered by the Project alone or strategically. This is secured by Part 4 of Schedule 22 of the DCO (3.1) However the Applicant notes that the content may vary subject to the progress and agreed contribution of relevant projects of such a strategic measure. The Outline SCIMP is intended to provide the potential information which may be contained in the final SCIMP for the benefit of the ExA and SoS. The Applicant awaits the detailed advice from Natural England on strategic benthic compensation measures available through the Marine Recovery Fund.		The WMS and Marine Recovery Fund Guidance (Jan 2025) relate to the Applicant's preferred (without prejudice) compensation measures (being Marine Protected Area Extension). However, until and unless the Secretary of State makes a decision and the details of the MRF are available, it is prudent and necessary for the Applicant to retain some other compensation measures. The Applicant has however agreed to drop the following measures in line with Natural England's advice: ▪ Alternative protection measures; ▪ Anthropogenic Pressure Removal - Marine Debris and Awareness campaign; and ▪ Seagrass Habitat Creation/Restoration The following plans were updated in response to relinquishing these measures and submitted at Deadline 5: ▪ Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6) ▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6)
45	D4	The Without Prejudice Biogenic Reef Compensation Plan [APP-246] should be updated in light of comments provided.	D1 – No Change D2 – No Change D3 – No Change D4 - No Change please see our Deadline 4 Appendix C4 response and Tab	The Applicant has responded to Natural England's D4 Appendix C4 submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). The Applicant has also responded to Natural England's Tab C of the Risks and Issues Log in, The Applicant's Comments on Natural England's	Please Refer to Deadline 4a Appendix D1 [REP4a-136] and Appendix C6 at Deadline 5. Natural England understands the Applicant intends to submit an	The Applicant has conducted an assessment of the supporting habitat for *S. spinulosa* reef within the Offshore ECC, which intersects with the IDNRRB SAC. The findings are detailed in the *S. spinulosa* Reef Supporting Habitat Technical Note (document reference 22.11, V3, submitted at Deadline 6). Natural England approved the Applicant's interpretation of the methodologies and the quantification of the supporting habitat area for *S. spinulosa* reef via email through DAS on 25th March 2025.

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			C of the Risks and Issues Log.	Risk and Issues Log V2 (REP4a-111).	update to their Annex 1 *Sabellaria spinulosa* reef supporting habitat approach at Deadline 5. Natural England will review this update and seek to engage with the Applicant in order to provide further advice to the ExA at Deadline 6 regarding the level of impact that requires compensation as part of the consenting phase, as also set out in [REP4a-136].	The Applicant also provided the realistic worst-case figure for the total area of cable protection predicted within Annex I supporting habitat to Natural England via DAS on the 27th March 2025. The information is also presented in the table below. **Calculation Step Description / Value / Unit** Number of Cables: 4 each Length of transit for each cable through Supporting Habitat: 16562.5 m Length of transit for all cables through Supporting Habitat: 66250 m **20%** of total length: 13250 m Number of mattresses required (rounded up): 4417 each Each mattress footprint: 18 m2 Footprint within Supporting Habitat: 79506 m2 20% allowance for installation accuracy and slippage: 15901.2 m2 Total Footprint for Supporting Habitat: **95407.2** **m2** Total volume for Supporting Habitat (0.35m high): **33392.52** **m3** The Applicant awaits Natural England's final position at Deadline 6. However, the Applicant has updated the RIAA with this detail at Deadline 6 (document reference 7.1, V5, submitted at Deadline 6) and has updated the without prejudice compensation case to include the quantification of impact to Annex I supporting habitat. The following compensation documents have therefore been updated and submitted at Deadline 6. ▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6) and, ▪ Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6)
46	D5	The Annex I Reef Compensation Implementation and Monitoring Plan [APP-247] is a skeleton document of what will be included post consent. Therefore, we are	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Please refer to D4 Cover Letter. The	The Applicant has responded to Natural England's D4 Cover Letter submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). A suite of documents was updated at deadline 4 to reflect the updates in	No change. Please Refer to Deadline 4a Appendix D1 [REP4a-136] for our detailed advice.	The Applicant can confidentially rule out that there should be no requirement for compensation of Annex I features of the IDRBNR SAC. If, however, the SoS disagrees, the Applicant's view of the level of impact is set out in the Without Prejudice Sandbank Compensation Plan (REP5-105) and the Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6).

Point	Ref from Appendix D [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix D - Benthic Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		unable to provide comment at this time on its content.	Ministerial Statement issued on 29th January 2025 confirmed DEFRA's support for delivery of strategic benthic compensation, making wider compensation measures available and delivery of compensation through the Marine Recovery Fund. Natural England will provide further, more detailed advice, in due course for this project.	Defra's WMS including the Annex I Reef Compensation Implementation and Monitoring Plan (APP-247). Should the Secretary of State conclude an adverse effect on integrity for this feature, the Applicant would be required to submit a Biogenic Reef Compensation Implementation and Monitoring Plan irrespective of whether any compensation which may be required is delivered by the Project alone or strategically. This is secured by Part 5 of Schedule 22 of the DCO (3.1). However, the Applicant notes that the content may vary subject to the progress and agreed contribution of relevant projects of such a strategic measure. The Outline Biogenic Reef Compensation Implementation and Monitoring Plan is intended to provide the potential information which may be contained in the final Biogenic Reef Compensation Implementation and Monitoring Plan for the benefit of the ExA and SoS. The Applicant awaits the detailed advice from Natural England on strategic benthic compensation measures available through the Marine Recovery Fund.		The WMS and Marine Recovery Fund Guidance (Jan 2025) relate to the Applicant's preferred (without prejudice) compensation measures (being Marine Protected Area Extension). However, until and unless the Secretary of State makes a decision and the details of the MRF are available, it is prudent and necessary for the Applicant to retain some other compensation measures. The Applicant has however agreed to drop the following measures in line with Natural England's advice: ▪ Alternative protection measures; ▪ Anthropogenic Pressure Removal - Marine Debris and Awareness campaign; and ▪ Seagrass Habitat Creation/Restoration The following plans were updated in response to relinquishing these measures and submitted at Deadline 5: ▪ Without Prejudice Biogenic Reef Compensation Plan (REP5-107) ▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (REP5-109)

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47	D6	Section 2 of the Benthic Compensation Evidence and Route Map [APP-248] is superfluous because of changes in approach since the time those projects were consented. Refer to our advice above as appropriate.	D1 – No Change D2 – No Change D3 – No Change D4 - No Change. No further update provided by the Applicant.	The Applicant has submitted information in the updated Without Prejudice Benthic Compensation Evidence Base and Roadmap V2 (REP4-051).	No Change. Please Refer to Deadline 4a Appendix D1 [REP4a-136] for our detailed advice.	The WMS and Marine Recovery Fund Guidance (Jan 2025) relate to the Applicant's preferred (without prejudice) compensation measures (being Marine Protected Area Extension). However, until and unless the Secretary of State makes a decision and the details of the MRF are available, it is prudent and necessary for the Applicant to retain some other compensation measures. The Applicant has however agreed to drop the following measures in line with Natural England's advice: ▪ Alternative protection measures; ▪ Anthropogenic Pressure Removal - Marine Debris and Awareness campaign; and ▪ Seagrass Habitat Creation/Restoration The following plans were updated in response to relinquishing these measures and submitted at Deadline 5: ▪ Without Prejudice Biogenic Reef Compensation Plan (document reference 7.6.2, V4, submitted at Deadline 6) ▪ Without Prejudice Benthic Compensation Evidence Base and Roadmap (document reference 7.6.3, V4, submitted at Deadline 6) Section 2 of the of the Benthic Compensation Evidence and Route Map (document reference 7.6.3, V4, submitted at Deadline 6) provided evidence at the time of authoring and therefore is not required to be updated.

1.5 E Marine Mammals

Table 1.5.1 The Applicant's Current position on Risk and Issues matters – Marine Mammals

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
1	E6 & E1	The average summer density for harbour porpoise (2.63 individuals / km) is used in the impact assessment, rather than the average annual density to reflect the importance of the project area during the summer.	D1 – Issue resolved			
2	E7, E27 & E2	The Applicant should use population modelling, for example interim Population Consequences of Disturbance (iPCoD), to understand the impacts of the project alone and in combination with other plans and projects at a population level to provide robust evidence to inform the conclusions of the EIA and HRA.	D1 - Issue progressed but not resolved. See appendix E1. Natural England will wait to hear from the Applicant to discuss the parameters that should be used in the cumulative iPCoD assessment. D2 - No change. Please refer to Natural England's response to the Examiners First Written Questions ExQ1 MM 1.5 [REP2-074] for further clarification. D3 - No change. Please refer to Appendix E2 for further clarification. D4 - No change. Natural England are waiting to be contacted by the Applicant regarding iPCoD for in-combination impacts and also for their revised iPCoD report, which the applicant plans to submit at Deadline 4, as stated in REP3-054.	The Applicant submitted a requested revised Interim Population Consequences of Disturbance Modelling Report (REP4A-106) which the Applicant notes that Natural England is in the process of reviewing.	No Change. Natural England is in the processes of reviewing the most up to date iPCoD modelling report [REP4a-107], and will aim to provide a response as soon as possible.	The Applicant notes that Natural England is in the process of reviewing the requested revised Interim Population Consequences of Disturbance Modelling Report (REP4A-106). Natural England provided advice on Interim Population Consequences of Disturbance Modelling Report V3 (REP4a-107) through their Discretionary Advice Service (DAS) on 27th March 2025, the Applicant has responded to that advice in Table 34 of The Applicant's Comments on D5 Submissions (document reference 24.2). The Applicant has provided detailed responses to Natural England's comments and considers the issues raised are addressed within the iPCoD modelling. Where the Applicant has disagreed with Natural England, it is considered this is supported by scientific evidence and sufficient reasoning has been provided in response. The Applicant has submitted iPCoD Modelling Results (Cumulative)

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						(Document reference 24.8) at Deadline 6. The Applicant has been unable to meet with Natural England to agree a scope for this work. Therefore, in order to ensure the modelling is conducted in time to submit into examination, the Applicant has assumed the following: ▪ Modelling for 3 key species: harbour porpoise, harbour seal and grey seal ▪ Screened in UK projects in the relevant MUs with a quantitative EIAR available for piling ▪ Screened in ODOW piling years +- 1 year
3	E8, E12, E13 & E3	The mitigated impacts of Permanent Threshold Shift (PTS) and Temporary Threshold Shift (TTS) from piling and UXO clearance are not negligible for all marine mammals. Natural England strongly advises the Applicant to commit to using noise abatement as mitigation, should driven or part-driven piles be used during construction. The effect of NAS in reducing noise impacts should be included in the assessment.	D1 - No Change. See appendix E1. D2 – No Change D3 – No change. See our advice in Appendix E2. D4 - No Change. To resolve this issue the Applicant needs to make a commitment to using NAS as mitigation. Please refer to our cover letter submitted at deadline 4 for further advice.	The Applicant has submitted updated Outline Marine Mammal Mitigation Protocol for piling Activities (document reference 8.6.1) and In-Principle Southern North Sea SAC SIP (REP4-086) at Deadline 4 which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue. Following discussions during Issue Specific Hearing 6 the Applicant has updated the Outline Marine Mammal Mitigation Protocol (MMMP) for Piling Activities (document reference 8.6.1) at Deadline 4a to make the commitment wording clearer.	No Change. To resolve this issue the Applicant should make a commitment to using NAS as mitigation. Natural England does not accept the term 'Best endeavours' as a form of commitment. For further advice, please refer to [REP4a-138] supplied at Deadline 4a, along with our cover letter and Appendix E3 submitted at Deadline 5.	Following engagement with Natural England and the advice provided against PADSS items NE8 and NE9 in the NE Risk and Issues Log (REP5-171), the Applicant has updated the commitment secured within the MMMP (document reference 8.6.1, V6 submitted at Deadline 6) and SIP (document reference 8.7, V4 submitted at deadline 6) to state: *"Applicant will deploy primary and/or secondary noise reduction methods (Noise Abatement Systems) for pile driving, unless otherwise agreed with the MMO"* The Applicant considers that the commitment it has made is above and beyond what is required by the Defra (2025) policy *Reducing*

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						Marine Noise, and that this issue is now resolved.
4	E9	Disturbance impacts to harbour seal from piling which could further hinder the 'restore' objective of The Wash and North Norfolk Coast (WNNC) SAC should be avoided, reduced or mitigated. If impactful noise from the project reaches the SAC, additional mitigation measures, for example NAS, should be implemented. To avoid disturbance during sensitive times, activities generating impactful noise which may reach the SAC should also be avoided during pupping (June, July and August).	D1 – No Change D2 – No Change D3 – No change. See our advice in Appendix E2. D4 - Issue resolved. Natural England is satisified that the Applicant has shown that piling will not cause a signficant sound barrier for harbour seals in the Wash and North Nofolk Coast SAC [REP3-048].			
5	E10	There is concern that noise from piling of the Offshore Reactive Compensation Platform (ORCP) will cause a barrier for harbour seals entering and leaving the Wash and North Norfolk Coast SAC. The Applicant should provide a barrier effects assessment on harbour seal disturbance from piling at the ORCP.	D1 – No Change D2 – No Change D3 – No Change D4 - Issue resolved. Natural England is satisfied that the Applicant has shown that piling will not cause a significant sound barrier for harbour seals in the Wash and North Nofolk coast SAC [REP3-048].			
6	E15	If a marine mammal is not observed leaving the mitigation zone, a delay of 20 minutes from the last sighting should be implemented before commencement of soft-start. This should be committed to within the final MMMP.	Issue resolved			
7	E16	The PAM guidance was updated in December 2023 (JNCC 2023). This updated version should be used to inform the final MMMP.	Issue resolved			

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		Updated PAM guidance should be used to inform the final MMMP: JNCC guidance for the use of Passive Acoustic Monitoring in UK waters for minimising the risk of injury to marine mammals from offshore activities | JNCC Resource Hub.				
8	E17	For a maximum hammer energy of 6,600 kJ, the soft-start should commence at 10% of maximum hammer energy, not 15% as stated here. This 10% maximum hammer energy should be committed to in the final MMMP.	D1 – No change. See Appendix E1. D2 – No Change D3 - Issue resolved			
9	E18	If the commencement of piling is delayed for a sufficient time to warrant the Acoustic Deterrent Device (ADD) being turned off, the break in ADD use should be more than 20 minutes to ensure a startle and flee response once reactivated. Any break in ADD use being more than 20 minutes should be committed to in the final MMMP.	Issue resolved			
10	E19	Visual marine mammal watches should commence at least 30 minutes before ADD activation. This might require the visual watch to be longer than 1 hour when the ADD activation time is longer than 30 minutes. A commitment for visual marine mammal watches for a duration of at least 30 minutes before ADD activation should be included in the final MMMP.	D1 – No Change D2 – No Change D3 – No Change D4 - No Change. To resolve the issue Natural England advises the applicant refers to the new and update UXO guidance published by the JNCC, which the Applicant should abide by in the final MMMP. Please refer to Natural England's cover letter submitted at Deadline 4 for further advice.	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance at (document reference 8.6.2 submitted at deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	Issue progressed. To resolve the issue Natural England would like to see the Applicant explicitly state they will commit to conducting a 30 minute watch before ADD activation, rather than stating it is a JNCC recommendation. please refer to Natural England's cover letter submitted at Deadline 4a [REP4a-138] for further advice.	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance at (document reference 8.6.2 submitted at deadline 6) incorporating the suggestions from NE, which we hope will allow this Issue to now be agreed.
11	E20	If UXO detonation is delayed for a sufficient time to warrant the	Issue resolved			

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		ADD being turned off, the break in ADD use should be more than 20 minutes to ensure a startle and flee response once reactivated. Any break in ADD use being more than 20 minutes should be committed to in the final MMMP.				
12	E21	The mitigation and marine mammal sections do not include measures to avoid collisions with marine mammals. Measures should be included in the vessel management plan to ensure vessels operate appropriately around marine mammals, these should be finalised in accordance with best practice at the time. This may include the Scottish Marine Wildlife Watching Code.	Issue resolved			
13	E23	Harbour porpoise have been screened out from sites that are more than 26 km from the project. As wide-ranging animals, any designated site with harbour porpoise as a named feature within the North Sea Management Unit should be screened in.	Issue resolved			
14	E25	The number of seismic surveys included in the incombination assessment should be clearly stated. Two seismic surveys per year should be included in the incombination assessment. The Assessment should be updated to reflect this.	Issue resolved			
15	E26 & E4	The current approach to implementing Site Integrity Plans (SIPs) for piling impacts to the Southern North Sea SAC does not allow sufficient time for	D1 – No Change D2 – No Change D3 – No Change D4 - No change. To resolve the issue Natural England strongly	The Applicant has submitted updated Outline Marine Mammal Mitigation Protocol for piling Activities (document reference 8.6.1, V5 submitted at Deadline 4a) and In-Principle Southern North Sea SAC SIP (REP4-086) at	No change. To resolve the issue Natural England strongly advises that the Applicant commits to using specific mitigation measures at this stage. Please refer to	Following engagement with Natural England and the advice provided against PADSS items NE8 and NE9 in the NE Risk and Issues Log (REP5-171), the Applicant has updated the

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		mitigation methods, such as NAS, to be procured by the Applicant prior to construction, should they be required, therefore increasing the risk that an Adverse Effect on Site Integrity cannot be avoided. The use of specific mitigation measures should be committed to at this stage, which may be removed at a later date if the revised SIP demonstrates they are not required.	advises that the Applicant commits to using specific mitigation measures at this stage. Please refer to Natural England's cover letter submitted at Deadline 4, regarding the Defra Marine Noise Package that was published on the 21st January 2025.	Deadline 4 which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	Natural England's cover letter submitted at Deadline 4 [REP4-135] and 4a [REP4a-138], for further advice.	commitment secured within the MMMP (document reference 8.6.1, V6 submitted at Deadline 6) and SIP (document reference 8.7, V4 submitted at deadline 6) to state: *"Applicant will deploy primary and/or secondary noise reduction methods (Noise Abatement Systems) for pile driving, unless otherwise agreed with the MMO"* The Applicant considers that the commitment it has made is above and beyond what is required by the Defra (2025) policy *Reducing Marine Noise*, and that this issue is now partially resolved. The Applicant maintains that it is not possible or helpful to commit to specific NAS until the final project parameters are known. As set out ISH 6 (REP4a-117), the Applicant has engaged with underwater noise abatement/ noise reduction technology suppliers and is confident that the existing commitment allows the Project sufficient time to finance, source and implement a noise abatement/ noise reductions system (or a combination of systems) prior to construction commencing. The Applicant also wishes to highlight that it has not been identified that NAS is required as no significant impacts have been identified.
16	E28 & E2	Natural England is not confident that the levels of disturbance from underwater noise caused by piling and UXO clearance from the project alone and in-	D1 - Issue progressed but not resolved. See appendix E1. Natural England will wait to hear from the Applicant to discuss the parameters that	The Applicant has submitted the requested revised Interim Population Consequences of Disturbance Modelling Report (REP4-099) at Deadline 4 which we hope will allow this Issue to now be agreed.	No Change. Natural England is in the processes of reviewing the most up to date iPCoD modelling report [REP4a-107], and will aim to	The Applicant is submitting iPCoD Modelling Report (Cumulative) (document refence 44.8 at deadline 6) .

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		combination with other activities can be concluded as no AEoI on the Wash and North Norfolk Coast SAC. Population modelling (such as iPCoD) should be undertaken to assess the impacts of the project alone and in-combination with other activities on the population of harbour seal in the Wash and North Norfolk coast SAC.	should be used in the cumulative iPCoD assessment. D2 – No Change D3 – No change. See our advice in Appendix E2. D4 - No change. Natural England are waiting to be contacted by the Applicant regarding iPCoD for in-combination impacts and also for their revised iPCoD report, which the applicant plans to submit at Deadline 4, as stated in REP3-054.	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".*	provide a response as soon as possible.	The Applicant submitted a requested revised Interim Population Consequences of Disturbance Modelling Report (REP4A-106) which the Applicant notes that Natural England is in the process of reviewing. Natural England provided advice on Interim Population Consequences of Disturbance Modelling Report V3 (REP4a-107) through their Discretionary Advice Service (DAS) on 27th March 2025, the Applicant has responded to that advice in Table 34 of The Applicant's Comments on D5 Submissions (document reference 24.2). The Applicant has provided detailed responses to Natural England's comments and considers the issues raised are addressed within the iPCoD modelling. Where the Applicant has disagreed with Natural England, it is considered this is supported by scientific evidence and sufficient reasoning has been provided in response. The Applicant is submitting iPCoD Modelling Results (Cumulative) (Document reference 24.8) at Deadline 6. The Applicant has been unable to meet with Natural England to agree a scope for this work. Therefore, in order to ensure the modelling is conducted in time to submit into examination, the Applicant has assumed the following:

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						▪ Modelling for 3 key species: harbour porpoise, harbour seal and grey seal ▪ Screened in UK projects in the relevant MUs with a quantitative EIAR available for piling Screened in ODOW piling years +- 1 year. The Applicant engaged with Natural England to try and seek resolution on this matter in relation to the Applicant's commitment to use primary and/or secondary noise reduction methods (Noise Abatement Systems (NAS)). Natural England confirmed to the Applicant via email on 2nd April 2025 that a committed to NAS would resolve this issue however, due to the time constraints, Natural England were not able to reply in an official capacity. The email exchange from Natural England has been added at in **Annex 1: Email Exchange With Natural England** of this document (Pers comm, 2025). **As such, the applicant considers that this issue is now resolved.**
17	E29	There is a high proportion of harbour seals from the Wash and North Norfolk Coast SAC disturbed from UXO clearance (7.8%). In the UXO clearance licence application, the Applicant should commit to using mitigation which reduces the sound at source, for example Low Order detonation or, as a last resort, high order with NAS.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. To resolve the issue, a commitment to using mitigation within the UXO clearance licence application should be made. Please refer to Natural England's cover letter submitted at Deadline 4 for further advise, regarding the	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance (document reference 8.6.2 submitted at deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	Issue progressed. Within the UXO MMMP the Applicant has committed to using Low Order detonation where avoidance is not possible, with High Order detonations only used in cases where Low Order is not possible. However, Natural England requires a commitment that if High Order is used then NAS must also be used conjunction. Please refer	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance at (document reference 8.6.2 submitted at deadline 6) incorporating the suggestions from NE, which we hope will allow this Issue to now be agreed.

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			new and updated UXO guidance published by the JNCC.		to Appendix E3 as part of our Deadline 5 submission for further advice.	
18	E30	A high proportion (68.36%) of the SNS SAC estimated to be disturbed by the project in-combination with other activities. Natural England does not agree to the conclusion of no AEoI for incombination impacts of the project for disturbance of harbour porpoise in the SNS SAC. To reduce disturbance to harbour porpoise, the Applicant needs to commit to NAS to significantly reduce the sound at source and should revise the conclusions of the assessment.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. To resolve the issue the Applicant needs to commit to using NAS, to significantly reduce the sound at source, to reduce the disturbance to harbour porpoises, and should revise the conclusions of the assessment. Please refer to Natural England's cover letter submitted at Deadline 4 for further advise, regarding the Defra Marine Noise Package that was published on the 21st January 2025	The Applicant has submitted updated Outline Marine Mammal Mitigation Protocol for piling Activities (document reference 8.6.1 submitted at Deadline 4a) and In-Principle Southern North Sea SAC SIP (REP4-086) submitted at Deadline 4 which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	No change, in order to resolve the issue please refer to Natural England's cover letter and Appendix E3 submitted at Deadline 5 for further advice.	Following engagement with Natural England and the advice provided against PADSS items NE8 and NE9 in the NE Risk and Issues Log (REP5-171), the Applicant has updated the commitment secured within the MMMP (document reference 8.6.1, V6 submitted at Deadline 6) and SIP (document reference 8.7, V4 submitted at deadline 6) to state: "Applicant will deploy primary and/or secondary noise reduction methods (Noise Abatement Systems) for pile driving, unless otherwise agreed with the MMO" The Applicant considers that the commitment it has made is above and beyond what is required by the Defra (2025) policy *Reducing Marine Noise*, and that this issue is now partially resolved.
19	E31	The Applicant should incorporate advice from Natural England's Best Practice Advice documents when planning In-Principal monitoring. Phase IV Best Practice Advice for Post-Consent Monitoring, Version 1.0, July 2022.pdf	D1 – Issue progressed but not resolved D2 – No Change D3 – No Change D4 - No change. Natural England request for further detail around potential assumptions that will be tested or evidence gaps that will be filled by the Applicant so Natural England has the opportunity to provide advise/ discuss these options, prior to them being agreed post-consent.	The Applicant has submitted an updated Offshore In-Principle Monitoring Plan (document reference 8.03 submitted at deadline 4a) which we hope will make progress on this issue. We await feedback from Natural England to confirm agreement on this Issue	No change. Natural England await submission of an updated Offshore In Principal Monitoring Plan. For further advice please refer to Natural England's Appendix E3 as part of our Deadline 5 submission.	The Applicant has submitted an updated Offshore in Principle Monitoring Plan (REP4a-073) at Deadline 4a, which we hope will allow this Issue to now be agreed. As part of Natural England's Appendix E3, they have stated that they welcome the opportunity to engage with the Applicant post-consent. The Applicant will continue to work with Natural England on monitoring for marine mammals in the post-consent phase.
20	New Issue D1	In [PD1-045] no commitment has been made to conduct pre-piling searches by qualified Marine	D1 – New issue identified at Deadline 1, see Appendix E1 D2 – No Change			

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		Mammal Observers (MMObs) as per the JNCC guidelines (JNCC Piling Guidelines (August 2010)).	D3 – Issue resolved. See our advice in Appendix E2			
21	New Issue D1	In [PD1-045], the Applicant has stated that Passive Acoustic Monitoring (PAM) can be used to supplement visual monitoring during periods of poor visibility, to allow piling to commence during these conditions. Natural England does not recommend piling commences during poor visibility conditions.	D1 - New issue identified at Deadline 1, see Appendix E1. D2 – No Change D3 – No Change D4 - No change. Natural England can only agree to piling during reduced visibility / darkness if the Applicant can demonstrate that the PAM equipment can cover the whole Mitigation Area (MA). The most frequently used PAM technologies for marine mammal mitigation rarely detect harbour porpoise beyond a distance of 300 m. The Applicant will need to show evidence that their proposed PAM equipment will cover the whole MA for all marine mammals and that they have considered animals that vocalise infrequently such as baleen whales and seals. If this is not possible, the MMMP should be updated to include commencing / re-starting piling during times of good visibility only.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however the Applicant has had no confirmation from Natural England that the position is agreed and it is unclear whether agreement will be reached before the end of Examination.	No Change. Natural England's position remains unchanged, please refer to advice provided in the risk and issues log at Deadline 4. Natural England suggests the Applicant consider using an array or series of PAM devices, or something similar if piling at night or in poor visibility to ensure the whole MA is mitigated. Natural England is confident that if the information requested in our Deadline 4 Risk & Issue log is provided by the Applicant, this issue can be resolved before the end of Examination.	The Applicant considers that the Outline MMMP for Piling has been developed in line with the latest guidance on PAM (JNCC, 2023). Whilst Natural England's view is acknowledged, the Applicant considers it not appropriate to finalise the PAM procedure at this stage when the final project design (which influences the required PAM procedure) is unknown. The Applicant will provide a final MMMP for Piling at the post-consent stage based on updated underwater noise modelling based and final project design. This will include the final mitigation measures and will be submitted to the MMO for approval under dML conditions, in consultation with Natural England, with whom the Applicant will engage throughout this process.
22	New Issue D1	The MMMP should consider how the increased mitigation zone [PD1-047] can be effectively monitored to ensure all marine mammals can be detected. If effective monitoring cannot cover the PTS impact zone, other methods of mitigation or sound reduction at source will be required.	D1 - New issue identified at Deadline 1, see Appendix E1. D2 – No Change D3 - Issue progressed but not resolved. See our advice in Appendix E2. D4 - No change. Since the Mitigation Zone (MZ) will be defined by the maximim PTS onset range from a single	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance including updates to section 4.2 Mitigation Zone (document reference 8.6.2 submitted at deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue	No Change. Natural England's position remains unchanged, please refer to advise provided in the risk and issues log at Deadline 4. Natural England suggests the Applicant consider using an array or series of PAM devices, or something similar, if piling at night or in poor visibility to ensure the whole MA is mitigated. Natural	The Applicant highlights that the original issue was on the Outline MMMP for UXO clearance and not the Outline MMMP for piling, as is incorrectly referenced in Natural England's D5 submission. The Applicant refers to the response provided in Point 21 above regarding PAM and piling.

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			hammer strike, this distance could be larger than 500m. The Applicant needs to consider if they need to employ additional measures to ensure this whole area is visible, for example: additional MMObs, higher platform for the MMObs or alternative vessel for MMObs. Natural England encourages the Applicant to submit a revised MMMP in order to consider Natural England's comments and to resolve outstanding issues.		England is confident that if the information requested in our Deadline 4 Risk & Issue log is provided by the Applicant, this issue can be resolved before the end of Examination	In the Outline MMMP for UXO clearance (REP4a-099) states that all UXO clearance will take place during daylight hours, in line with JNCC (2025) guidance. No UXO clearance will be planned for nighttime hours. As per (REP4a-099) PAM may be used to supplement visual monitoring during the day, in line with JNCC (2023; 2025). At no point in (REP4a-099) is it suggested that PAM will be the only mitigation measure for UXO clearance or that the Applicant considers it an alternative to visual search. Whilst Natural England's view is acknowledged, the Applicant considers it not appropriate to finalise the MMO procedure at this stage when the size and methods of UXO clearance (which influences the required MMO procedure) is unknown. The Applicant will provide a final MMMP for UXO Clearance at the post-consent stage based on refined understanding UXO sizes and clearance methods. It will be submitted to the MMO for approval under dML conditions, in consultation with Natural England, with whom the Applicant will engage with throughout this process.
23	New Issue D1	No commitment has been made to conduct a pre-detonation search by a qualified MMOb in the MMMP [PD1-047]. A pre-detonation search by qualified	D1 - New issue identified at Deadline 1, see Appendix E1. D2 – No Change D3 - Issue resolved. See our advice in Appendix E2.			

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		MMObs should be adopted as per the JNCC guidelines.				
24	New Issue D1	The Permanent Threshold Shift (PTS) onset range for high order UXO donation, could be larger than the area that can be effectively monitored by visual observers. The delay in operations therefore needs to reflect the distance a marine mammal needs to travel to flee the PTS onset range. There should also be consideration for how the remainder of the PTS onset range will be mitigated.	D1 - New issue identified at Deadline 1, see Appendix E1. D2 – No Change D3 – No Change D4 - No Change. To resolve this issue, the Applicant should ensure their application is inline with the recently published Defra Marine Noise Package (2025). Within this package there are documetns related to UXO clearance. These documents set out that low-order UXO clearance should now be the default clearance method, with high-order detonations restricted to extraordinary circumstances and also provide updated advice regarding mitigation of UXO clearance activities. Natural England advises that the Applicant should review the content of these documents and ensure their assessment and mitigation measures are aligned. Further information can be found in Natural England's cover letter submitted at deadline 4.	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance (document reference 8.6.2 submitted at deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue	Issue progressed, but not resolved. Natural England welcomes the Applicant's commitment to using low order as the default clearance method. However, the MMMP needs to outline the procedures in place that will take place before high order detonation is considered as a last resort, please refer to Appendix E3 as part of our Deadline 5 submission for further advice. In addition, a commitment needs to be made by the Applicant that if high order is utilised then NAS must be used as mitigation alongside this. Natural England notes discrepancies remain between the Applicant's suggested mitigation and that detailed in the JNCC 2025 guidelines. Natural England advises that the Applicant reviews the content of these documents and ensure their assessment and mitigation measures are aligned.	The Applicant has provided an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance (document reference 8.6.2 submitted at deadline 6) which we hope will allow these issues to now be agreed. The Applicant is not clear what the discrepancies NE is referring to between the Applicant's suggested mitigation and that detailed in the JNCC 2025 guidance. The Applicant considers that the proposed mitigation measures align with the JNCC guidance.
25	New Issue D1	The Applicant has stated that a PAM system may be used to supplement visual monitoring during conditions of reduced visibility. Commencement of UXO detonations should not occur during periods of reduced visibility, since the minimum mitigation requirement set out in the JNCC guidelines for UXO	D1 - New issue identified at Deadline 1, see Appendix E1. D2 – No Change D3 – No Change D4 - No Change. Natural England refers the Applicant to the 2025 JNCC guidelines for UXO clearance state "The minimum mitigation requirement in these guidelines	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance (document reference 8.6.2 submitted at deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue	No Change. Natural England's position remains unchanged. Natural England continues to state that PAM cannot be used to supplement visual monitoring during periods of poor visibility, please refer to the 2025 JNCC guidelines for UXO clearance and our previous advice for further detail	The Applicant has submitted an updated Outline Marine Mammal Mitigation Protocol for Unexploded Ordnance Clearance (document refence 8.6.2 submitted at deadline 6) which we hope will allow this issue to be agreed.

Point	Ref from Appendix E [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix E - Marine Mammals [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		operations state that the mitigation zone must be visually observed.	is that the mitigation zone is visually observed prior to clearance for the presence of marine mammals" and therefore UXO clearance should not occurr during periods of poor visibility or at night. Natural England requests the Applicant updates documents accordingly. Further information can be found in Natural England's cover letter submitted at deadline 4.			

Table 1.5.2 The Applicant's Current position on PADS matters – Marine Mammals

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
PADS					
NE8	Natural England is concerned that the SIP process is being exclusively relied on to address in-combination noise levels from multiple projects on SAC harbour porpoise in the post-consent phase and that no commitment has been made to the use of NAS. To provide greater confidence that in-combination noise levels can be kept below the thresholds, the Applicant should commit to the use of Noise Abatement Systems now rather than rely on the SIP to address impacts on the SAC in the post-consent phase. This should be secured at the earliest opportunity.	D1 – No Change D2 – No Change D3 - No Change D4 - No change. To resolve the issue Natural England strongly advises that the Applicant commits to using specific mitigation measures at this stage. Please refer to Natural England's cover letter submitted at Deadline 4, regarding the Defra Marine Noise Package that was published on the 21st January 2025.	The Applicant submitted an updated In-Principle Southern North Sea SAC SIP (REP4-086) at Deadline 4 which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	No Change. Natural England's previous advice remains unchanged	Following engagement with Natural England and the advice provided against PADSS items NE8 and NE9 in the NE Risk and Issues Log (REP5-171), the Applicant has updated the commitment secured within the MMMP (document reference 8.6.1, V6 submitted at Deadline 6) and SIP (document reference 8.7, V4 submitted at deadline 6) to state: "*Applicant will deploy primary and/or secondary noise reduction methods (Noise Abatement Systems) for pile driving, unless otherwise agreed with the MMO*" The Applicant considers that the commitment it has made is above and beyond what is required by the Defra (2025) policy *Reducing Marine Noise*, and that this issue is now partially resolved. The Applicant maintains that it is not

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
					possible or helpful to commit to specific NAS until the final project parameters are known. This approach is well established and has been successfully implemented in multiple DCOs, where the SIP process has demonstrated its effectiveness in managing underwater noise impacts. Additionally, the MMO, as the responsible regulatory authority, will only approve piling activity under the dML if compliance with noise thresholds is not breached, taking into account the final detailed design, verified mitigation measures and other noisy activities planned to occur at the same time. As such, the ExA and the SoS can have confidence that AEoI will not occur, as the MMO will not allow the piling activities to occur in such a scenario. Furthermore, the In-Principal SIP includes a commitment to liaise with other relevant projects regarding underwater noise, supporting a coordinated approach to impact management. Therefore, the Applicant considers that all necessary mitigation and relevant safeguards have been appropriately secured.
NE9	New issue at Deadline 1. Natural England is concerned that no commitment has been made by the Applicant to the use of NAS to reduce the impact of noise on marine mammals. The Applicant should commit to the use of NAS as mitigation now rather than continuing to only consider it as a potential mitigation measure in the SIP post-consent.	D1 – Likely. This is subject to the Applicant making a commitment to the use of NAS as mitigation. D2 – No Change D3 - No Change D4 - No change. Please refer to D4 Cover Letter. Defra have, this week, published their Marine Noise package. To resolve the issue the Applicant needs to commit to using NAS as mitigation.	The Applicant has submitted updated Outline Marine Mammal Mitigation Protocol for piling Activities (document reference 8.6.1) and In-Principle Southern North Sea SAC SIP (REP4-086) at Deadline 4 which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	No Change. Please refer to Appendix E3 of our Deadline 5 submission for further advice. To resolve the issue the Applicant should commit to using NAS as mitigation.	Following engagement with Natural England and the advice provided against PADSS items NE8 and NE9 in the NE Risk and Issues Log (REP5-171), the Applicant has updated the commitment secured within the MMMP (document reference 8.6.1, V6 submitted at Deadline 6) and SIP (document reference 8.7, V4 submitted at deadline 6) to state: *"Applicant will deploy primary and/or secondary noise reduction methods (Noise Abatement Systems) for pile driving, unless otherwise agreed with the MMO"* The Applicant considers that the commitment it has made is above and beyond what is required by the Defra (2025) policy *Reducing Marine Noise*, and that this issue is now resolved. The Applicant maintains that it is not possible or

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
					helpful to commit to specific NAS until the final project parameters are known. This approach is well established and has been successfully implemented in multiple DCOs, where the SIP process has demonstrated its effectiveness in managing underwater noise impacts. Additionally, the MMO, as the responsible regulatory authority, will only approve piling activity under the dML if compliance with noise thresholds is not breached, taking into account the final detailed design, verified mitigation measures and other noisy activities planned to occur at the same time. As such, the ExA and the SoS can have confidence that AEoI will not occur, as the MMO will not allow the piling activities to occur in such a scenario. Furthermore, the In-Principal SIP includes a commitment to liaise with other relevant projects regarding underwater noise, supporting a coordinated approach to impact management. Therefore, the Applicant considers that all necessary mitigation and relevant safeguards have been appropriately secured.

1.6 F Offshore & Intertidal Ornithology

Table 1.6.1 The Applicant's Current position on Risk and Issues matters – Offshore and Intertidal Ornithology

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Actions, Consultations, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
1	F2	The Applicant has used a theoretical generalised stable age structure to apportion impacts to adults from Special Protection Area (SPA) colonies for Habitats Regulations Assessment (HRA). Where good quality site-specific ageing data is not available, the precautionary approach should be used, to assume that all 'adult type' birds recorded on surveys are apportioned as adults.	D1 - Issue resolved for ORBA assessment. Natural England welcomes the presentation of our approach to apportioning of adults alongside the Applicant's approach within the ORBA documents [PD1-091 and PD1-92]. See Appendix F1. NB This approach should be applied across all documents and updates as required. This issue resolution is subject to clarification of the status of the ORBA in the Examination, and subsequent updates to the original ES documents as required. D2 – No Change D3 - Issue progressed but not resolved. Issue resolved following acceptance of Change Request for the ORBA, except for Sandwich tern where the Applicant has only provided an assessment based on 64% adult proportion using the stable age structure approach. D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an assessment based on Natural England's advised approach to the assessment.	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) which includes the presentation of the Applicant's and Natural England's approach to apportioning of adult species. The Applicant's updated ES Offshore Ornithology chapter, upon request of the ExA, is now being provided at Deadline 4a (REP4a-011). Following Natural England's review of the documentation submitted at Deadlines 4 and 4a the Applicant expects that this issue will be resolved.	D5 - Yes. The Applicant has presented an assessment for Sandwich tern at NNC SPA using Natural England's advised adult apportioning rate during the breeding season of 100% adults in the updated RIAA [REP4-030].	The Applicant welcomes Natural England's confirmation that this matter has been resolved.
2	F7	Some consideration should be given within the HRA to the potential for long-term implications of Highly Pathogenic Avian Influenza (HPAI) to reduce the resiliency of populations, and how this may impact on the need for conditions to allow a population to recover to, rather than be maintained at, a target level.	D1 - No change. See our advice in Appendix F1. D2 - No change. See our answer to Examiners Question Q1 HRA 1.1. D3 - No change. See our answer to Examiners Question Q1 HRA 1.1 [REP2-074].	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant has submitted an updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (at Deadline 4) and an	D5 - No change. Please see Natural England's answer to the REIS question 67.	The Applicant notes that the immediate impacts (and therefore the long-term impacts) of HPAI are extremely difficult to assess. Simple pre and post outbreak colony counts such as those in Tremlett et al., (2024) may overstate the impact that HPAI has had on a colony, with other factors

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Consultations, Deadline Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4.	updated ES Offshore Ornithology Chapter 12 (REP4a-011) (at Deadline 4a). The Applicant is continuing to seek active engagement with Natural England, however it is unclear whether agreement will be reached before the end of Examination.		likely to be influencing the number of birds attending the colony. For example, Birkhead and Hatchwell (2025) demonstrated that declines in colony attendance due to winter storm related mortality and a reduction in food availability as a result of sea temperature increases compounded reductions at the colony as a result of HPAI. As such there is real uncertainty regarding the level of impact on colonies from HPAI, and declines seen post outbreak cannot be attributed to HPAI alone. The Applicant accepts that population trends should be considered when interpreting outputs of PVA and that there is uncertainty regarding future colony growth rates over the lifetime of a project; at FFC SPA the Applicant notes increasing populations of guillemot and razorbill, and a stable population of kittiwake, and Natural England's statement that it is not appropriate to assume that current growth rates cannot be supported is not evidenced. As such, the Applicant considers that there is no evidence that a realistic assessment of potential future population trends should consider any meaningful reduction in colony growth as a result of HPAI, especially given the uncertainties regarding the

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Consultations, Progressions and RAG	Deadline Actions,	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
							occurrence and scale of any future outbreaks. The lack of any clear methodology for the consideration of HPAI within an assessment potentially introduces yet more uncertainty and as such any outputs would be speculative.
3	F8 & F1	Collision risk modelling (CRM) parameters presented throughout are not clearly defined. Please ensure parameters are clearly presented under appropriate table headings and table/figure legends/titles in an updated assessment.	D1 - Issue resolved for ORBA assessment. Natural England welcomes our advice is applied in the ORBA document [PD1-081], noting this is subject to clarification of the status of the ORBA in the Examination. As noted in the cover letter, Natural England requests updates are also made in 6.3.12.2 Chapter 12 Appendix 2 Collision Risk Modelling [APP-163]. D2 – No Change D3 - Issue resolved, following acceptance of Change Request for the ORBA.				
4	F9, F15 & F6	The Offshore Reactive Compensation Platform (ORCP) should be included in the MDS and considered at every stage of the project life-cycle including the O&M phase and assessed for potential disturbance and displacement impacts to red-throated diver and common scoter in both the EIA and HRA (project alone and in-combination) for the Greater Wash SPA. Alternative locations for the ORCP outside the SPA should be considered.	D1 - Issue progressed but not resolved. Irrespective of the status of the ORBA, refer to Advice in Appendix F1 on this issue. D2 - No change - we understand further information will be provided by the Applicant in due course. D3 - No change. Natural England understand further information will be provided by the Applicant in due course. D4 - No change. Natural England understand an updated assessment for red-throated diver in the GW SPA will be submitted at Deadline 4 alongside their change request and await this additional information. We have agreed an	The Applicant submitted a change request on 3rd February 2025 to reduce the parameters of the ORCP (REP4-124) and submitted an updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) at Deadline 4. The Applicant has also submitted an updated ES Offshore Ornithology Chapter 12 (REP4a-011). The Applicant also notes that in order to provide further confidence to Natural England that the potential for an AEoI can be excluded for impacts to red-throated diver, the Applicant is proposing to commit to a full seasonal restriction for construction activities during the period 1 st November to 31st March (inclusive). A Change	D5 - Issue progressed. The Applicant has presented an updated assessment for red-throated diver in the updated RIAA considering the potential impact from the permanent presence of the ORCPs within the GW SPA [REP4-030]. NE has confirmed that should a condition be included within the deemed marine licence that commits to a seasonal restriction (November to March inclusive) on construction within the GW SPA and a 2km buffer around the SPA, NE is satisfied that the Project would not contribute to in-combination impacts to the red-throated diver feature of the GW SPA [REP4a-137].	The Applicant welcomes the comment from Natural England. As requested by Natural England, The Applicant has included the commitment to a seasonal restriction on construction activities between November and March (inclusive), within the Greater Wash SPA and a buffer of 2 km in the draft Development Consent Order (document reference 3.1, V10, submitted at Deadline 6). The Applicant considers that this issue should be resolved.

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			appropriate methodology for the updated assessment.	Notification was submitted on 20 February 2025 advising the ExA of this proposal (AS-032). The Applicant anticipates that this will enable full resolution of this issue. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. See also The Applicant's Deadline 4 Position previously stated.		
5	F11	Natural England requests the Applicant provides the Annex D Ornithological Census and Capture Trial document. This is relevant to the apportioning of FFC SPA . We are unable to provide advice on the merits of the Applicant's apportioning approach until this is provided.	D1 - Issue progressed but not resolved. Natural England welcomes the submission of the two census reports within [AS1-064] though requests clarification on some issues. The Applicant should clearly present how the data from the offshore platform census surveys has been used to generate the apportioning figure for the FFC SPA. D2 – No Change D3 - No change. Natural England is awaiting an updated apportioning appendix from the Applicant at Deadline 4. D4 - Resolved following additional information provided by the Applicant at Deadline 3 [REP3-037]. Please see Appendix F3 to Natural England's Deadline 4 submission.			
6	F12	Tables of abundance and density estimates for baseline characterisation data should be presented separately for birds in flight, birds on the water, and all birds. This should include, accounting for availability bias where relevant and 'unidentified' groups are not identified to species level. Without this material Natural England is unable to confirm	D1 - Issue progressed but not resolved. The Applicant has followed Natural England's advice in the ORBA [PD1-086]. Issue resolution is subject to the clarification of the status of the ORBA and request for updates to be reflected in the original ES documents. Natural England will respond on whether the impact			

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		whether the impact assessment has been correctly conducted.	assessment has been correctly conducted at Deadline 2. D2 – No Change D3 - Issue resolved, following acceptance of Change Request for the ORBA.			
7	F13, F30, F46 and F1	There are errors in the tables presenting the survey data within Appendix 12.1 Annex B. Please check and correct any errors in the baseline characterisation data tables and ensure any errors have not been carried through to the impact assessment.	D1 - Issue resolved. Please see our advice in Appendix F1.			
8	F14, F4	The Applicant should set out the process by which design- and model-based estimates are used to show areas of high usage by Auks and how this has informed the refinement of the array area and demonstrates this will as far and practically and reasonably possible reduce the interaction with Auk species. A model-based approach (eg MRSea) should be pursued due to the high predicted impacts to auks, particularly guillemot, and the likely connectivity to Flamborough and Filey Coast SPA (FFC SPA).	D1 - Issue progressed but not resolved. Irrespective of the status of the ORBA, please see our advice in Appendix F1. D2 – No Change D3 - Issue progressed. Applicant has submitted a report on the MRSea modelling undertaken by the Applicant, for which we have made initial comments at Deadline 3, please refer to Appendix F2. Natural England is now awaiting further detail from the Applicant. D4 - No change. Natural England is still awaiting further detail from the Applicant following our comments within Appendix F2 of our Deadline 3 submission.	The Applicant has submitted their response to Natural England's Appendix F2 in The Applicant's Comments on Deadline 3 Submissions (REP4-108), which we hope will allow this issue to now be agreed. We await feedback from Natural England to confirm agreement.	D5 - Issue resolved following submission of the updated MRSea report [REP4-019].	The Applicant welcomes Natural England's confirmation that this matter has been resolved.
9	F16	Natural England advises use of the full breeding season not the migration-free breeding season. The full breeding seasons as outlined in Furness (2015) are :Gannet: March to September Sandwich tern: April to August. The assessments, including the cumulative and in-combination assessments, should be updated accordingly.	D1 - Issue progressed. See Appendix F1. Natural England welcomes the clarifications within ORBA documents [PD1-081] and [PD1-092]. Correct the information within Table 4.21 and/or the assessment as appropriate. Issue resolution is subject to the approval of the ORBA and request for updates to be			

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			reflected in updates to the ES documents. D2 – No Change D3 - Issue resolved, following acceptance of Change Request for the ORBA.			
10	F17	The Applicant has used two studies of collisions at Thanet and Aberdeen Offshore Windfarm to argue that the CRM parameters advised by SNCBs are precautionary. Natural England does not consider these provide sufficient evidence to draw wider conclusions on collision risk for other projects.		The Applicant has submitted information in the updated ES Offshore Ornithology Chapter 12 V3 (document reference 6.1.12) at Deadline 4a.		
11	F18 & F21	The Applicant should revise the nocturnal activity factors for Sandwich tern, common tern and little gull to reflect Natural England's advised nocturnal activity factor (NAF), in addition to, referring to and applying the nocturnal activity factor set out in Garthe and Hüppop (2004) or present empirical evidence to inform an alternative rate.	D1 - Issue progressed. See Appendix F1. Collision risk modelling for the area excluding the ORBA uses the NAFs as set out in Garthe and Hüppop (2004). Common tern, little gull and migratory collision risk modelling should also be rerun for the revised array area excluding the ORBA. Issue resolution is subject to the approval of the ORBA and subsequent updates to the original documents. D2 – No Change D3 - Issue progressed but not resolved. This is issue is resolved for all species apart from common tern and little gull, for which CRM using the correct NAFs has not been rerun (as they are assessed using migratory CRM only and this has not been rerun). D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an assessment based on Natural England's advised approach to the assessment.	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (submitted at Deadline 4) and the updated ES Offshore Ornithology Chapter 12 (REP4a-011) (submitted at Deadline 4a) which we hope will allow this issue to now be agreed. We await feedback from Natural England to confirm agreement.	D5 - Issue resolved. The Applicant has submitted an updated Migratory Collision Risk report [REP4a-150] where the correct NAFs for common tern and little gull have been used within the CRM.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
12	F19	The productivity and average mortality rates presented in this table for some species (particularly great black-backed gull, common tern, razorbill and puffin) are different than the updated rates provided by Natural England to all Round 4 developers. We request the Applicant updates their assessment with the updated figures shared in March 2024 moving forward.	D1 - Issue addressed. The ORBA Environmental Report [PD1-081] is updated with the productivity and average mortality rates both the ORBA and pre-ORBA impacts. Issue resolution is subject to acceptance of the ORBA and requested updates to the original ES application. D2 – No Change D3 - Issue resolved, following acceptance of Change Request for the ORBA.			
13	F20	The Applicant should clarify how they have arrived at the MDS for collision risk, specifically how the greatest total swept area has been calculated from the parameters presented.	D1 - Issue addressed in ORBA assessment. D2 – No Change D3 – Issue resolved			
14	F22 & F1	There is an error in the displacement matrix presented for guillemot breeding season in the higher mortality and displacement ranges. Natural England advises the Applicant reviews all matrices to ensure that they do not contain any errors.	D1 - Issue resolved. Please see our advice in Appendix F1. Corrections to errors and inconsistencies have been made in [AS1-064].			
15	F23, F24 & F5	Displacement matrices should be presented using upper and lower confidence limits, as well as the mean, for each species considered in the displacement appendix, as per our Best Practice Guidelines: Environmental considerations for offshore wind and cable projects. An updated assessment should clearly state what figures are being presented within these tables/displacement matrices.	D1 - Issue addressed in ORBA assessment. Please see our advice in Appendix F1. The Applicant has presented displacement matrices for upper and lower confidence limits, as well as the means, of abundance values, as requested in Natural England's Relevant Reps. Issue resolution is subject to clarification of the status of the ORBA and subsequent updates to the original documents. D2 – No Change D3 - Issue progressed but not resolved. The Applicant presented updated (ORBA) displacement matrices with upper and lower CIs	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (submitted at Deadline 4) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) (submitted at Deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement.	D5 - Issue resolved. Displacement matrices have been presented within the updated RIAA [REP4-030] for the mean and lower and upper confidence limits.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			for EIA, but not for HRA. No displacement matrices (mean, upper or lower CIs) have been presented for the HRA for the ORBA. This will be resolved when the Applicant provides a full updated RIAA that reflects the introduction of the ORBA. D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an assessment based on Natural England's advised approach to the assessment.			
16	F25	For the Population Viability Analysis, the Applicant has stated that the recommended number of years for burn-in has been included for all species except lesser black-backed gull. Natural England advises the a justification for the inclusion of no burn-in for lesser black-backed gull is provided.	D1 - No change. See Appendix F1. D2 – No Change D3 – No Change D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an assessment based on Natural England's advised approach to the assessment.	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) which we hope will allow this issue to now be agreed. We await feedback from Natural England to confirm agreement.	D5 - Issue progressed but not resolved. The Applicant has rerun PVA for lesser black-backed gull at Alde-Ore Estuary SPA with a burn in of 5 years [REP4-036] but not for EIA level impacts to lesser black-backed gull, with the ES appendix submitted at D4a [REP4a-149] showing no burn in for lesser black-backed gull.	The Applicant welcomes confirmation that in spite of this issue remaining unresolved, Natural England do not consider that the lack of resolution will make a material difference to their advice or the decision-making process.
17	F26	A full log of input and outputs of the Population Viability Analysis (PVA) (Annex A) was not provided within the relevant Appendix. Natural England requests access to Annex A, including missing input and outputs of PVA.	D1 - No change. Natural England has not reviewed the PVA Annex A subsequently provided by the Applicant (AS-002] as these do not reflect the proposed ORBA. D2 – No Change D3 - No change. The PVA has not been updated to reflect the introduction of the ORBA. D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an assessment based on Natural England's advised approach to the assessment.	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) which we hope will allow this issue to now be agreed. We await feedback from Natural England to confirm agreement.	D5 - Issue resolved. The PVA reports submitted for the HRA [REP4-036] and EIA [REP4a-149] contain a log of input and output parameters.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
18	F28 & F44	In addition to embedded mitigation related to the following of the Best Practice Protocol for minimising disturbance from vessel traffic to sensitive species including red-throated diver and common scoter, it may also be appropriate to condition a formal seasonal restriction on construction of the ECC and ORCPs during the sensitive over-wintering period. Intertidal restrictions for common scoter may require consideration.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England understand an updated assessment for red-throated diver in the GW SPA will be submitted by the Applicant at Deadline 4 alongside their change request and await this additional information.	The Applicant submitted a change request on 3 rd February 2025 (REP4-124) which included a reduction in the ORCP parameters and submitted an updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) at Deadline 4 including an updated assessment for red-throated diver. The Applicant has also submitted an updated ES Offshore Ornithology Chapter 12 (REP4a-011). We await feedback from Natural England to confirm agreement on this Issue. The Applicant also notes that in order to provide further confidence to Natural England that the potential for an AEoI can be excluded for impacts to red-throated diver, the Applicant is proposing to commit to a full seasonal restriction for construction activities during the period 1 st November to 31st March (inclusive). A Change Notification was submitted on 20 February 2025 (AS-032) advising the ExA of this proposal. The Applicant anticipates that this will enable full resolution of this issue. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5 - Issue progressed. The Applicant has presented an updated assessment for red-throated diver in the updated RIAA considering the potential impact from the permanent presence of the ORCPs within the GW SPA [REP4-030]. NE has confirmed that should a condition be included within the deemed marine licence that commits to a seasonal restriction (November to March inclusive) on construction within the GW SPA and a 2km buffer around the SPA, NE is satisfied that the Project would not contribute to in-combination impacts to the red-throated diver feature of the GW SPA [REP4a-137037]. Please refer to DCO tab A.	As requested by Natural England, the Applicant has included the commitment to a seasonal restriction on construction activities between November and March (inclusive), within the Greater Wash SPA and a buffer of 2 km in the draft Development Consent Order (document reference 3.1, V10, submitted at Deadline 6). Based on the Natural England position presented in REP4a-137, the Applicant considers that this issue should be resolved.
19	F29 & F45, F4	It is unclear whether the array boundary refinements have gone as far as is practically and reasonably possible to reduce the interaction with Auk species in the array area. If not, further consideration should be given to reducing this overlap given the	D1 - Issue progressed but not resolved. See Natural England's advice in the cover letter and Appendix F1. D2 – No Change D3 - Issue progressed. Applicant has submitted a report on the	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is continuing to seek active engagement with Natural England, however, it is unclear whether	D5 - Issue resolved following submission of the updated MRSea report [REP4-019].	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		significant numbers present and the likelihood of connectivity to FFC SPA.	MRSea modelling undertaken by the Applicant, for which we have made initial comments at Deadline 3, please refer to Appendix F2. Natural England are awaiting further detail from the Applicant. D4 – No Change	agreement will be reached before the end of Examination.		
20	F30 & F1	There are multiple errors across the submitted documents. The Applicant should provide updated/corrected documents so that we can advise on the scale and significance of impact and the appropriateness of compensatory measures.	D1 - Issue resolved. Please see our advice in Appendix F1. Corrections to errors and inconsistencies have been made in [AS1-064].			
21	F31	Natural England advises full consideration should be given to the potential for displacement and disturbance to red throated diver within the Greater Wash SPA during the O&M phase as a result of vessel movements and the permanent presence of the ORCPs within the SPA. Alternative locations for the ORCP outside the SPA should be considered.	D1 - Issue progressed but not resolved. Irrespective of the status of the ORBA, please see our advice in Appendix F1. D2 – No Change D3 – No Change D4 - No change. Natural England understand an updated assessment for red-throated diver in the GW SPA will be submitted at Deadline 4 alongside their change request and await this additional information.	The Applicant submitted a change request on 3rd February 2025 (REP4-124) which included a reduction in the ORCP parameters and in order to reduce potential impacts on red-throated diver. An updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) was submitted at Deadline 4 including an updated assessment for red-throated diver during O&M from the operation of the ORCP (see paragraph 753). The conclusions of the RIAA from red-throated diver at the Greater Wash SPA remain as no potential for AEoI. The Applicant has also submitted an updated ES Offshore Ornithology Chapter 12 (REP4a-011) (at Deadline 4a). The Applicant considers that the mitigation proposed, i.e. use of a best practice vessel management protocol as detailed within the Outline Vessel Management Plan (PD1- 064), is sufficient to support a conclusion of no AEoI to the Greater Wash SPA and therefore additional mitigation during	D5 - Issue progressed. The Applicant has presented an updated assessment for red-throated diver in the updated RIAA considering the potential impact from the permanent presence of the ORCPs within the GW SPA [REP4-030]. NE has confirmed that should a condition be included within the deemed marine licence that commits to a seasonal restriction (November to March inclusive) on construction within the GW SPA and a 2km buffer around the SPA, NE is satisfied that the Project would not contribute to in-combination impacts to the red-throated diver feature of the GW SPA [REP4a-137]. Please refer to DCO tab A.	As requested by Natural England, the Applicant has included the commitment to a seasonal restriction on construction activities between November and March (inclusive), within the Greater Wash SPA and a buffer of 2 km in the draft Development Consent Order (document reference 3.1, V10 updated at Deadline 6). Based on the Natural England position presented in REP4a-137, the Applicant considers that this issue should be resolved.

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Consultations, Progressions and RAG	Deadline Actions,	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
					construction is not required in this case. However, in acknowledgement of the outstanding disagreement with Natural England on this matter, in order to provide further confidence to Natural England that the potential for an AEoI can be excluded for impacts to red-throated diver, the Applicant is proposing to commit to a full seasonal restriction for construction activities during the period 1st November to 31 st March (inclusive). A Change Notification was submitted on 20 February 2025 advising the ExA of this proposal (AS-032). The Applicant anticipates that this will enable full resolution of this issue.		
22	F33 & F34	It is not clear what reference population has been used for guillemot at Flamborough & Filey Coast SPA. Natural England advises the Applicant presents a table with the reference populations used for each species at each SPA in the HRA, noting that these should be counts from year(s) closest to the years of baseline data collection. Please also revise any calculations of impacts using the correct reference populations.	D1 - Issue addressed in ORBA assessment. Please see our advice in Appendix F1. While we are unable to see these corrections have been made in [AS1-064], these are evident in the ORBA ornithology assessment [PD1-091]. Issue resolution is subject to clarification of the status of the ORBA within the Examination. D2 – No Change D3 - Issue resolved, following acceptance of Change Request for the ORBA.				
23	F35, F46 & F1	The calculations of baseline mortality for guillemot at FFC SPA appear incorrect. Natural England advises the Applicant corrects the errors in these calculations of % increase in baseline mortality for guillemot, and check calculations for all species-SPA combinations.	D1 - Issue progressed but not resolved. Corrections to errors and inconsistencies have been made in [AS1-064]. Natural England will provided further update on these calculations at Deadline as we continue our review of the ORBA ornithology assessment [PD1-081 and PD1-091]. D2 – No Change				

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			D3 - Issue resolved, following acceptance of Change Request for the ORBA.			
24	F36, F2 & F3	The RIAA should present the complete outputs, including full displacement matrices, for Natural England's apportioning approach to individual SPAs and also adults. Natural England's advised approach to apportioning during the breeding season for guillemot and razorbill is to assume 100% adult-type birds are breeding adults, and to apportion 100% of these individuals to FFC SPA. A separate season with bespoke apportioning for each species in August and September should be assessed	D1 - Issue progressed. See Appendix F1. The Applicant has presented assessment outputs based on NE's advised apportioning approach within the new ORBA documents. Natural England will review and comment in full on these docs at Deadline 2. Issue resolution is subject to the approval of the ORBA and subsequent updates to the original documents. D2 – No Change D3 - Issue progressed but not resolved. Issue resolved only for guillemot, not for razorbill. D4 - No change. As stated in Appendix F3 to our Deadline 3 submission, Natural England is awaiting an assessment for razorbill that includes the NE advised apportioning rate for the post-breeding season. NE therefore await the submission of the updated ES chapter and RIAA at D4, which should include this	The Applicant has responded to Natural England's Appendix F3 submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (at Deadline 4) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) (at Deadline 4a) which it is hoped will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	D5 - Issue resolved. The Applicant has presented an assessment for razorbill at FFC SPA using Natural England's advised apportioning rate during the post-breeding season in the updated RIAA [REP4-030].	The Applicant welcomes Natural England's confirmation that this matter has been resolved.
25	F37, F2 & F3	Natural England advises the Applicant provides further detail on how site-specific adult proportions for kittiwake and gannet have been calculated from the Digital Arial Survey (DAS) data including what months have been included and how the proportions are calculated.	D1 - Issue progressed. See Appendix F1. As presented in [PD-081], the assessment using DAS data for calculating adult apportioning should be updated by using the methods utilised by Morgan. Issue resolution is subject to clarification of the status of the ORBA and subsequent updates to the original documents. D2 – No Change D3 - No change. Natural England requested Applicant provide	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	D5 - Issue resolved. The Applicant has confirmed the apportioning rate for kittiwake at FFC when incorporating offshore breeders is 61.3% and this rate has been used within the updated Report to Inform Appropriate Assessment (RIAA) [REP4-030]; Natural England confirmed this rate is appropriate [REP4-139].	The Applicant welcomes Natural England's confirmation that this matter has been resolved.

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
			updated assessment using our advised adult proportions (please see our D1 submission, Appendix [REP1-061]). Exa requested the same at First Ex Qs. Not yet provided by Applicant (see their response to our D1 submission at D2 [REP2-053]). D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an assessment based on Natural England's advised approach to the assessment.			
26	F38, F46, F1, F2 & F3	The breeding season apportioning table in Annex A (Table 12) are missing the values in the 'resulting weight for SPA' and 'proportional weight of SPA' columns. It is therefore not possible to determine how the Applicant has calculated their apportioning values using the NatureScot apportioning tool. Natural England advises the Applicant corrects Table 12.	D1 - Issue addressed. In [PD1-092] the Applicant has updated the breeding season apportioning table in Annex A. Issue resolution is subject to clarification of the status of the ORBA and subsequent updates to the appropriate original documents.			
27	F39	The results from Wakefield et al (2017) and Cleasby et al. (2018) does not include any information on the distributions of birds in April and cannot be used to draw inference about the potential importance of areas of the North Sea to guillemot outside of the breeding season. Natural England advises removing this paragraph, or amending this paragraph to better reflect the data limitations.	D1 - See Appendix F1. Natural England wish to reiterate our position that April should be considered as part of the breeding season for guillemot as defined by Furness 2015, Rather than a prolonged debate it would be more beneficial to focus the Applicant's and our efforts on addressing them. D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5 - Issue resolved. The Applicant has amended the wording within the RIAA Apportioning Appendix [REP4-034] so that it is no longer misleading.	The Applicant welcomes Natural England's confirmation that this matter has been resolved.
28	F41	Natural England has concerns over the accuracy of the alone assessment. Further we do not agree that lesser black	D1 - No change. See Appendix F1. D2 – No Change D3 – No Change	The Applicant welcomes the comment that Natural England are likely to advise that Project alone impacts for	D5 - Issue resolved for Alone assessment, with the Applicant having presented updated Alone	The Applicant welcomes confirmation that in spite of this issue remaining unresolved,

Point	Ref from Appendix F [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix F - Offshore & Intertidal Ornithology	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		backed gull at Alde-Ore Estuary SPA and Sandwich tern at NNC SPA can be screened out of the in-combination assessment. Small impacts need to be carried through to an in-combination assessment. The Applicant should update their assessment of the 'alone' impacts . The SPA features identified (and others in a similar situation) should be subject to in-combination assessment once the issues with the submitted impact assessment are rectified.	D4 - Issue progressed but not resolved. However, Natural England advised at Deadline 3 that it is likely that Natural England will advise that the ODOW project alone impact for these species at these sites is sufficiently low to allow in-combination adverse effects to be excluded for these SPAs. Nonetheless, NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an updated project alone and incombination assessment for these species in line with Natural England advised approach to apportioning.	lesser black-backed gull and Sandwich tern will be sufficiently low to allow incombination adverse effects to be excluded for the Alde-Ore Estuary SPA and North Norfolk Coast SPA respectively. The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (at Deadline 4) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) (at Deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	assessments within the updated RIAA [REP4-030]. The updated RIAA has screened out Sandwich tern at NNC SPA and lesser black-backed gull at Alde-Ore SPA due to the low project alone impacts of 0.4 and 0.2 mortalities respectively and limited connectivity between the Project and the colonies in question. Natural England maintain that small impacts should be carried through to incombination assessments, though we acknowledge that in this case the project alone impact is sufficiently low for AOEI to be excluded for these species/SPAs.	Natural England do not consider that the lack of resolution will make a material difference to their advice or the decision-making process.
29	F42	Values used in the in-combination assessment for other English North Sea projects entering examination 2024/25 are likely to be subject to change through their respective Examinations. Natural England recommends the Applicant contacts the relevant developers to agree how updated values based on SNCB advice are shared and disseminated across their Examinations, to ensure the in-combination assessment is updated in a streamlined way.	D1 - No change. See Appendix F1. D2 – No Change D3 - Issue progressed but not resolved. The Applicant confirmed at Deadline 2 that they are intending to update the in-combination assessments that were presented at application to include the more up to date values from other projects as they become available during the course of examination, and propose to do this for Deadline 4. D4 - No change. NE are awaiting the submission of the updated ES chapter and RIAA at D4, which the Applicant has indicated will include an updated incombination assessment.	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (at Deadline 4) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) (at Deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	D5 - Issue progressed. The Applicant has updated their incombination assessment with more up to date values from other projects as they have become available during the course of examination, however some of these values for certain OWFs (e.g. guillemot and razorbill for DBS) are incorrect - see detailed comments in our D5 submission.	In line with advice given by Natural England in Appendix F5, updated in-combination assessments, including corrected numbers for Dogger Bank South, will be presented within an updated RIAA (document 7.1, V5, submitted at Deadline 6) at Deadline 6. Based on the Natural England position presented in REP4a-137, the Applicant considers that, as the corrected numbers have now been submitted, this issue should be resolved.

Table 1.6.2 The Applicant's Current position on PADS matters – Offshore and Intertidal Ornithology

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
PADS					
NE10	We disagree with the methods used to calculate and describe the impacts to seabird species. In particular we have significant concerns over: Apportioning of individuals to SPAs; Bioseasons and their definitions; Proportion of birds assessed as adults; Baseline Mortality Calculations; Calculations for scale of compensation required. We have provided advice to the developer via the Section 42 consultation response, expert topic groups and a workshop held in January 2024 recommending approaches to take regarding these issues. The presented approaches departs from Natural England's (SNCB) standard advice. The issue can be addressed. We advise the Applicant applies our advice and presents assessments in line with this to.	D1 – Please see our advice in Appendix F1 and R&I Tab F. Corrections to errors and inconsistencies have been made in [AS1-064] and Natural England's approach has followed through to the ORBA documentation. However some concerns remain and our advice will be updated to detail these at Deadline 2. Issue resolution is subject to clarification of the status of the ORBA within the Examination and requested updates to the original ES documentation for offshore ornithology, including the RIAA. D2 – No change - please see Appendix K1 to our response to the Examiners Questions for a detailed assessment of methodological concerns. Our advice on the ORBA assessment will be provided in the event of the ORBA change request being accepted.	The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (at Deadline 4) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) (at Deadline 4a) which we hope will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	D5 - Progressed. Please see Natural England's advice in Appendix F5 at Deadline 5 regarding our outstanding concerns to the assessments.	The Applicant welcomes confirmation that in spite of this issue remaining unresolved, Natural England do not consider that the lack of resolution will make a material difference to their advice or the decision-making process. An updated RIAA will be provided at Deadline 6 that will address issues regarding the numbers used in the in-combination assessments for guillemot and razorbill and will provide a range of in-combination impact scenarios for these species based on mortality rates of 2% and 5% at Hornsea. In addition to the above, the Applicant notes that this new request has come very late in the examination. To date, assessments have been carried out in line with all of NE's previous advice and updated to reflect updates to the advice throughout the Examination; the Applicant has followed Natural England's advice given to the ODOW project specifically and could not reasonably have been expected to depart from that advice and instead adopt the approach advised on a different project. Any judgement Natural England will be making on the range of impacts could only occur after the close of Examination and ODOW would have no opportunity to comment on the implications, with other interested parties also not having the opportunity to comment on the updated assessment. Natural England have suggested that this issue is not a matter that is material to their advice or decision making (REP5-171) and therefore should not be given much more focus during this examination.

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		D3 - Progressed but not resolved. The ORBA assessment has allowed Natural England to reach 'project alone' conclusions for a number of species, but not all of them. Further work is still needed to address outstanding disagreements on wider methodological issues to allow advice to be given on other species and/or impact levels to be confirmed for the species of concern, and appropriate calculations for scaling of compensatory measures agreed. D4 – No Change			
NE11	Guillemot and Razorbill It is likely that NE will be unable to rule out an Adverse Effect on Integrity on FFC SPA Guillemot and Razorbill. High numbers of Auks will be impacted by the development. The departure from SNCB advice has led to attempts to apparently reduce the impacts, as presented. We welcome the Applicant's approach to providing the 3 compensation measures relating to Auk species. There is a lack of clarity concerning mitigation for Auks. It is not clear how robustly Auks were factored in when designing the	D1 – Natural England will provide further update at Deadline 2. D2 – No change - see NE 10 above. No further material presented regarding compensatory measures. D3 - Progressed but not resolved - see NE10 above. In particular, we highlight that the Applicant has not submitted a assessment of impacts to FFC SPA razorbill using Natural England's preferred	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. The Applicant has submitted information in the updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) (at Deadline 4) and the updated ES Offshore Ornithology Chapter 12 V3 (REP4a-011) (at Deadline 4a).	D5 - Progressed. Natural England refers the ExA to our Deadline 5 Cover Letter and Appendix G3. Natural England will provide our updated advice at Deadline 6.	The Applicant has provided updated versions of Guillemot and Razorbill Compensation Quanta (document reference 20.17, V4, submitted at Deadline 6), Without Prejudice Guillemot Compensation Plan (document reference 7.7.2, V3, submitted at Deadline 6) and Without Prejudice Razorbill Compensation Plan (document reference 7.7.3, V3, submitted at Deadline 6) at Deadline 6 that acknowledge Natural England's updated position on compensation calculations for guillemot and razorbill. Specifically, Natural England's updated position is that when considering the design of measures, the UCI impact, the Hornsea Four method and an appropriate compensation ratio should be used for guillemot and razorbill. For kittiwake, Natural England's advice remains that use of the Hornsea 3 stage 2 method is appropriate. A more detailed response is provided in the Applicant's response to Appendix G3 to Natural England's Deadline 5 submission (document reference 24.2, V1, submitted at Deadline 6). The Applicant understands that the Deadline 5 advice from Natural England in Appendix G3 is as follows.

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	reduction of the array area and whether further reduction could be undertaken to reduce impacts. We stress that the Applicant should present assessments undertaken in line with the SNCB advice and present the outputs of these, shifting focus from attempting to reduce impacted numbers. The proposed compensation measures will require substantial work to improve evidence and demonstrate viability and efficacy in order to demonstrate that the proposed measures can be secured and will prove to be ecologically robust. Further reduction fo the array area should be considered to reduce impacts to Auk species.	apportioning approach. We will provide advice on the Applicant's Deadline 2 submissions regarding compensatory measures at Deadline 4. D4 - Progressed but not resolved as regards the compensatory measures - further material on the compensation measures has addressed some matters (though not others), and raised concerns about the scale of the proposed intervention and how this relates to the predicted benefits.			**Success criteria** Success criteria are calculated with the mean impact value, using the Hornsea Four method and at a 1:1 ratio. For guillemot at the Flamborough and Filey Coast SPA, the potential compensation achievable across the three proposed measures developed by the Applicant (including collaborative measures in the South West of England) is substantially larger than the success requirement calculated, with the Applicant's potential compensation at a ratio of 41.3:1 using the Applicant's approach to impact assessment and 3.0:1 using Natural England's approach to impact assessment. The Applicant notes that this ratio is conservative given quantification of available compensation through predator eradication on the Isles of Scilly is not yet included, but the Task and Finish–Group (comprising Defra, DESNZ, Natural England, The Wildlife Trusts, OWIC, The Crown Estate, and RSPB) state that: *'All parties agree that predator eradication on the Isles of Scilly has great potential to provide compensation for the impacts of offshore wind projects and would support its inclusion in project specific compensation plans. Offshore wind projects currently seeking consent might wish to submit this statement to the examining authority to demonstrate progress with this scheme, if they seek to use it as strategic compensation for unavoidable impacts to protected species likely to be impacted by their projects.* The Applicant understands that the Task and Finish Group is currently quantifying the potential compensation for guillemot and razorbill and that this information will be shared with the relevant developers as soon as it is available. In the meantime, the Applicant has provided RWE Dogger Bank South with its updated compensation quanta based on Natural England's preferred approach identified in REP5-167. Following discussion with RWE Dogger Bank South regarding Natural England's revised compensation quanta, the Applicant has received the following statement from RWE Dogger Bank South:

Ref	The brief concern held by Natural England reported on in full in Written Representations and What needs to change, or be included or amended to overcome the disagreement?	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
					Based on the amount of available habitat suitable for the guillemot and razorbill to 'nest' at the Isles of Scilly as documented by the DBS Projects' colony count and habitat surveys undertaken in July 2024 (RWE, 2025) it is predicted that an eradication at the Isles of Scilly could provide enough rat free nesting spaces for both ODOW's and the DBS Project's guillemot and razorbill compensation needs, based on the compensation numbers for each species as derived from the HOW4 method using the 95% UCL at a 3:1 ratio. This adds further confidence that the Applicant can provide sufficient compensation (if required) under any reasonable scenario. For guillemot at the Flamborough and Filey Coast SPA and Farne Islands SPA, the potential compensation achievable across the three measures developed by the Applicant (including collaborative measures in the South West of England) is substantially larger than the success requirement calculated, with the Applicant's potential compensation at a ratio of 37.7:1 using the Applicant's approach to impact assessment and 3.0:1 using Natural England's approach to impact assessment. For razorbill at the Flamborough and Filey Coast SPA, the potential compensation achievable across the three measures developed by the Applicant (including collaborative measures in the South West of England) is larger than the success requirement calculated, with the Applicant's potential compensation at a ratio of 21.0:1 using the Applicant's approach to impact assessment and 3.2:1 using Natural England's approach to impact assessment. **Design criteria** The design criteria are calculated with the UCL impact, using the Hornsea Four method, with an appropriate ratio applied Assuming that a ratio of 2:1 is applied for kittiwake (thus allowing further space for auks on the ANS), the following scenarios arise: ▪ For guillemot at the FFC SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1 ▪ For guillemot at the FFC SPA and the Farne Islands SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1

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					▪ For razorbill at the FFC SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1 (1.99:1) The Applicant's position is that its preferred approach, i.e. the use of the mean impact prediction with the Hornsea Four method and a 1:1 ratio, should be suitable to meet the compensation design requirements as well as the success requirements. However, should the UCI be applied then the Applicants position is that the additional built-in precaution (e.g. an additional layer of precaution to that already present in the Hornsea 4 method) that results negate the need for the Application of any ratio. That is that using the UCI without a ratio is more than adequately precautionary. However, should there be disagreement with this position, then the Applicant notes that, even with the inclusion of the additional impacts at the Farne Islands SPA, a design requirement that utilises a ratio very close to 2:1 for both razorbill and guillemot could be delivered across all measures proposed by Applicant. This is detailed further in document 24.2. In summary, the Applicant maintains that compensation is not necessary for either the guillemot or razorbill feature of the FFC SPA. Should compensation be necessary then the Applicants firm position is that the use of the mean impact value and a 1:1 ratio is appropriate for defining compensation quanta, given the precaution inherent in the assessments and relevant precedent. However, the Applicant has developed compensation measures which when considered collectively the required compensation could be delivered under any of the following scenarios for guillemot and razorbill dependent on which method of quantification is deemed appropriate by the SoS: ▪ Applicants preferred approach at ratios beyond 1:1 ▪ Natural England's Preferred Approach using the UCI, no ratio applied ▪ Natural England's preferred approach using the UCI up to a ratio of close to 2:1 (1.99:1)
NE12	We cannot yet agree on conclusions made with regards to the level of impact upon Kittiwake, based upon the	D1 – Natural England will provide further update at Deadline 2. D2 – No change - see NE 10 above. No further	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further	D5 - Progressed. Natural England refers the ExA to our Deadline 5 Cover Letter and Appendix G3. Natural England will	The Applicant awaits Natural England's updated advice regarding 19.11 Lead-in periods for kittiwake breeding on Artificial Nesting Structures (ANS) (REP4-105) at Deadline 6, including comment on the DCO condition wording, in Schedule 22 Part 1 Para 4 (iii) and 5, (REP4-007, REP4a-007). The Applicant discussed this matter at a meeting with

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	Applicant's departure from the SNCB advised approach. The Applicant should present assessments based on the SNCB guidance and propose compensation at a suitable ratio for an agreed impact value based on SNCB advice.	material presented regarding compensatory measures. D3 - Progressed but not resolved - see NE10 above. We will provide advice on the Applicant's Deadline 2 submissions regarding compensatory measures at Deadline 4. D4 – No Change	engagement to discuss the issue and determine whether agreement is possible.	provide our updated advice at Deadline 6.	Natural England on the 31.3.2025. The outcome of this discussion was that Natural England could not provide further comment on the suitability of the Project's lead-in times until an impact had been defined by the SoS. However, the Applicant has not yet received detailed, formal feedback on this matter. Therefore, the Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
NE13	We have significant ongoing concerns regarding the impacts to red throated diver resulting from disturbance and displacement as a result of the construction and operation of the development within the Greater Wash SPA. This includes the proposed location of the Offshore Reactive Compensation Platform within the SPA. The Applicant should ensure that assessments are undertaken in line with SNCB guidance and present the impacts accordingly. The Applicant should make efforts to further mitigate against these impacts.	D1 – Natural England will provide further update at Deadline 2. D2 – No change - we understand further information will be provided by the Applicant in due course. D3 - No change - we understand further information will be provided by the Applicant in due course. D4 - No change - we have met with the Applicant to agree an assessment methodology that will allow NE to provide our advice on the impacts of the ORCP, and understand further information will be provided by the Applicant in due course.	The Applicant submitted a change request on 3rd February 2025 (REP4-124) which included a reduction in the ORCP parameters and in order to reduce potential impacts on red-throated diver. An updated Report to Inform the Appropriate Assessment (RIAA) V3 (REP4-030) was submitted at Deadline 4 including an updated assessment for red-throated diver during O&M from the operation of the ORCP (see paragraph 753). The conclusions of the RIAA from red-throated diver at the Greater Wash SPA remain as no potential for AEoI. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. The Applicant also notes that in acknowledgement of the outstanding disagreement with Natural England on this matter, in order to provide further confidence to Natural England that the potential for an AEoI can be excluded for impacts to red-throated diver, the Applicant is proposing to commit to a full seasonal restriction for construction activities during the period 1 st November to 31st March	D5 - Issue progressed. The Applicant has presented an updated assessment for red-throated diver in the updated RIAA considering the potential impact from the permanent presence of the ORCPs within the GW SPA [REP4-030]. NE has confirmed that should a condition be included within the deemed marine licence that commits to a seasonal restriction (November to March inclusive) on construction within the GW SPA and a 2km buffer around the SPA, NE is satisfied that the Project would not contribute to in-combination impacts to the red-throated diver feature of the GW SPA [REP4a-137]. Natural	As requested by Natural England, the Applicant has included the commitment to a seasonal restriction on construction activities between November and March (inclusive), within the Greater Wash SPA and a buffer of 2 km in the draft Development Consent Order (document reference 3.1, V10, submitted at Deadline 6). The Applicant considers that this issue should be resolved.

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			(inclusive). A Change Notification was submitted on 20 February 2025 advising the ExA of this proposal (AS-032). The Applicant anticipates that this will enable full resolution of this issue.	England expects the DCO to be updated by the Applicant to include the 2km buffer around the GW SPA.	

1.7 G Offshore Ornithology Compensation

Table 1.7.1 The Applicant's Current position on Risk and Issues matters – Offshore Ornithology Compensation

Point	Ref from Appendix G [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix G - Offshore Ornithology Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
1	Overall confidence in the measure	It is uncertain how the predator measures for guillemot and razorbill at Plemont will demonstrably compensate for impacts to the colony at the FFC SPA as connectivity will be very difficult to evidence. Further work to increase the evidence base and feasibility of these measures is required.	D1 – No Change D2 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4 D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4. D4 - Issue progressed but some significant concerns remain, see Appendix G2 to our Deadline 4 submission.	The Applicant has responded to Natural England's Appendix G2 submission in The Applicant's Comments on Deadline 4 Submissions (REP4a-115) at Deadline 4a. The Applicant awaits feedback from Natural England to confirm their position on this issue.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight. In addition, given that this information was provided into the examination on February 3rd 2025, the Applicant considers that providing comments on this at the final deadline, approximately two months after it was submitted, is not appropriate.

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2	Theoretical merit to deliver compensation	It is uncertain whether the removal or control of rats and other mammalian predators will lead to colonisation of guillemot and/or an increase in the number of successfully breeding razorbill. The potential reasons for the loss/decline of guillemot and razorbill breeding on Jersey should be investigated. A more detailed analysis of the potential nesting habitat for these species that is currently accessible to rats and other predators is needed to understand the potential scale of benefits.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4. D4 - Issue progressed but some significant concerns remain, see Appendix G2 to our Deadline 4 submission.	The Applicant has responded to Natural England's Appendix G2 submission in The Applicant's Comments on Deadline 4 Submissions (document reference 22.3). The Applicant awaits feedback from Natural England to confirm their position on this issue.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
3	Technical feasibility & Uncertainties/effectiveness and 7.7.5.1 (Section 8 and 14) and 7.5.5 Section 6.2.2	Technical feasibility relates to the ability of the guillemot and razorbill Plemont proposal to exclude predators on an ongoing basis. It is unclear whether the recommendations for a fully-costed fence operational plan, eradication plan and biosecurity plan, have been undertaken. A more detailed	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4. D4 - Issue progressed but some significant concerns remain, see Appendix G2 to our Deadline 4 submission.	The Applicant has responded to Natural England's Appendix G2 submission in The Applicant's Comments on Deadline 4 Submissions (document reference 22.3). The Applicant awaits feedback from Natural England to confirm their position on this issue.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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		assessment is required of the potential risks of intertidal incursions and any mitigation measures. Experts should be consulted on plans for all stages of the proposed measure.				
4	Agreed compensation level and scale/extent of measure	The Applicant should provide updated/corrected documents using Natural England's approach to calculating impacts, using the upper 95% CI and at a ratio of greater than 1:1 to account for the high degree of uncertainty associated with this measure so advice can be provided.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-057] submitted at Deadline 2, we will respond at Deadline 4. D4 - Regarding compensation level, Natural England await the submission of an updated RIAA and Evidence Base and Roadmap at Deadline 4, and so Natural England will provide our advice once this is submitted. We have also been in discussion with the Applicant regarding their methods of calculating compensation requirements for guillemot and razorbill as set out in REP3-049 and await further clarification from the Applicant.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided updated calculations of compensation quanta that utilise the new approach advised by Natural England (REP5-167)); this is provided in the Applicant's response to Appendix G3 at Deadline 6 (document reference 24.2, V1, submitted at Deadline 6). Using Natural England's approach to impact assessment and considering both the success and design criteria provided by Natural England in Appendix G3 at Deadline 5, the Applicant can deliver the requisite level of compensation at a ratio of 2:1 (1.99:1 for razorbill). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.
5	Timing: Deliverable before impact & Uncertainties: Lead in-time. 7.5.5, Table 5.1	The Applicant has proposed a lead-in time of less than 2 years prior to impacts occurring for implementing the Plemont guillemot and	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4.	The Applicant has responded to Natural England's Appendix G2 submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115).	D5 - No change since D4. 7.7.5 Without Prejudice Predator Control Evidence Base and Road Map V3 submitted at D4 [REP4-064] does not contain any updates to or additional information regarding the lead-	The Applicant has provided kittiwake growth models within REP4-104 which show that, in the case of the Applicant's approach with an ANS with 300 AONs, the compensation provided for kittiwake over the anticipated approximate 35-year lifetime of the Project would outweigh the cumulative requirement by over 800 birds.

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		razorbill predator control compensation measure. This does not provide sufficient confidence that the compensation would be delivering prior to impact occurring. The Applicant should consider the need for a longer lead in time to account for the uncertainty around how long it will take before benefits are accrued.	D4 - Issue progressed but some significant concerns remain, including the issue of a limited lead-in time. See Appendix G2 to our Deadline 4 submission	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	in times and therefore our comments at D4 still stand. The Applicant has provided further justification on the short lead-in time of less than two years in their Comments on Deadline 4 Submissions [REP4a-115], saying that they intend to deal with the issue of compensation debt by delivering adequate overcompensation over the lifetime of the project. Natural England maintain that every effort should be made to ensure that measures are in place and effective before damage to a site occurs.	Production of a comparison similar to that provided for kittiwake is not possible for auks. In REP4-104, colony growth and cumulative outputs (i.e. the number of young surviving to adulthood summed over the years of operation) are compared against summed impacts (i.e. the annual impact of the Project, summed over the years of its operation). For kittiwake, cumulative outputs have been modelled using an impact agreed with Natural England and assuming all of the impact is addressed by the ANS. In the case of guillemot and razorbill, the impact has not been agreed with Natural England and there are three additional measures providing potential compensation (the Plemont predator control measure, the south-west England disturbance reduction measure and the Isles of Scilly predator control measure). To date, levels of compensation available to the Project from the Isles of Scilly have not been calculated (although they are considered likely to be substantial) as noted in the email received by the Applicant from the Defra led Task and Finish Group (comprising Defra, DESNZ, Natural England, The Wildlife Trusts, OWIC, The Crown Estate, and RSPB) which states that: 'All parties agree that predator eradication on the Isles of Scilly has great potential to provide compensation for the impacts of offshore wind projects and would support its inclusion in project specific compensation plans. Offshore wind projects currently seeking consent might wish to submit this statement to the examining authority to demonstrate progress with this scheme, if they seek to use it as strategic compensation for unavoidable impacts to protected species likely to be impacted by their projects. The Applicant understands that the Task and Finish Group is currently quantifying the potential compensation for guillemot and razorbill and that this information will be shared with the relevant developers as soon as it is available. In the meantime, the Applicant has provided RWE Dogger Bank South with its updated compensation quanta based on Natural England's preferred approach identified in REP5-167. Following discussion with RWE Dogger Bank South regarding Natural

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						England's revised compensation quanta, the Applicant has received the following statement from RWE Dogger Bank South: Based on the amount of available habitat suitable for the guillemot and razorbill to 'nest' at the Isles of Scilly as documented by the DBS Projects' colony count and habitat surveys undertaken in July 2024 (RWE, 2025), it is predicted that an eradication at the Isles of Scilly could provide enough rat free nesting spaces for both ODOW's and the DBS Project's guillemot and razorbill compensation needs, based on the compensation numbers for each species as derived from the HOW4 method using the 95% UCL at a 3:1 ratio. The specific requirement from the ANS is unknown and therefore cannot be compared to modelled outputs from the ANS. However, given that the compensation from the Isles of Scilly predator control measure has not been factored into the Applicant's calculations of potential compensation total, the Applicant's position that it can provide the advised compensation at a ratio of close to 2:1 (a 1.99:1 ratio for razorbill) remains conservative. Confidence that an ANS could provide adequate compensation for auks during the lifetime of the Project can be found from a study of an existing ANS. Data from a bespoke ANS auk colony in the Baltic Sea demonstrates that colonisation and colony growth at an ANS can be rapid (Carlsen et al., 2025) (much more so than for kittiwake). The Applicant maintains that a more appropriate and realistic approach to addressing potential accruals of compensation debt (as opposed to a specific lead in time) is to overcompensate during the lifetime of the Project. The Applicant is confident that, based on published colonisation data for auks, , should compensation be required for these species then more than sufficient compensation can be provided by the predator eradication measures at the Plemont Seabird Reserve,the disturbance reduction measures at the suite of south-west English sites, the predator control measures at the Isles of Scilly, and the Projects ANS.

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6	Location of measure	Natural England has concerns around the feasibility of undertaking sustained predator control for guillemot and razorbill at this chosen Plemont site due to the issues outlined above for 'Technical feasibility'. The documents do not assess the implications with regards to risk of reinvasion, maintenance of the fence and potential conflicts with members of the public. This matter should be clarified along with progress in securing landowner leases.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4. D4 - Issue progressed but some significant concerns remain, see Appendix G2 to our Deadline 4 submission. We again highlight that the proposed fenced area is considerably smaller than that envisaged in the feasibility study.	The Applicant has responded to Natural England's Appendix G2 submission in The Applicant's Comments on Deadline 4 Submissions (REP4a-115). The Applicant awaits feedback from Natural England to confirm their position on this issue.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
7	Long term implementation	The need for ongoing predator control measures and maintenance of the predator fence throughout the Plemont project lifetime should be sufficiently considered when costing up the measure and finalising the Compensation Implementation and Monitoring Plan for both guillemot and razorbill.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4. D4 - No change. Concerns remain around the lack of fully costed eradication and biosecurity plans, see Appendix G2 to our Deadline 4 submission.	The Applicant has responded to Natural England's Appendix G2 submission in The Applicant's Comments on Deadline 4 Submissions (REP4a-115). The Applicant awaits feedback from Natural England to confirm their position on this issue.	D5 - Applicant has stated in their Response to D4 submissions [REP4a-115] that costing has been carried out in consultation with National Trust for Jersey but that these costings are commercially sensitive.	The Applicant welcomes confirmation that in spite of this issue remaining unresolved, Natural England do not consider that the lack of resolution will make a material difference to their advice or the decision-making process.

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8	Recruitment into the National Site Network	Evidence provided suggests c.50% of guillemot and 80% of razorbill will disperse away from their natal colony, and thus a number of birds fledged from Plemont Seabird Reserve have the potential to recruit into the FFC SPA breeding population or to other sites within the National Site Network. This has not been accounted for in the Applicant's calculations of the scale of compensation that will be delivered by the predator control measure, he proportion of birds likely to recruit into the National Site Network needs to be considered when calculating the scale of compensation required	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4. D4 - No change. We have been in discussion with the Applicant regarding their methods of calculating compensation requirements for guillemot and razorbill and await further clarification from the Applicant.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	Juvenile dispersal (the counterpoint to philopatry) has not been considered in the Applicant's updated compensation quanta calculations, which utilise methods advised in Natural England's Deadline 5 submission Appendix G3. The Applicant has provided updated compensation quanta in line with this revised approach at Deadline 6 (document reference 24.2, V1, submitted at Deadline 6); the Applicant considers that, on the provision of revised compensation quanta, this issue should be resolved.
9	Suitable as sole measure for target species	At this stage, it is unclear to what degree the Plemont predator control measure can contribute to a package of measures. The Applicant should provides updated/corrected documents at the	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-026] submitted at Deadline 2, we will respond at Deadline 4. D4 - No change due to outstanding concerns.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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		earliest opportunity so that further advice on the suitability of this compensatory measure can be provided.		determine whether agreement is possible.		
10	Overall confidence in the measure	The additional southwest England additional measures (disturbance reduction, habitat management and potentially additional predator control) are potentially acceptable as a secondary compensation measure for Auks. Significant additional work is required to improve understanding and develop site specific evidence to allow this to contribute, with confidence, to the compensation package.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. We understand the Applicant has continued to explore options for the implementation of this measure and look forward to reviewing updated information in due course.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
11	Theoretical merit to deliver compensation and technical feasibility	It will be unlikely to be able to evidence that any reduction in pressure at the southwest colonies is actually resulting in an increase in abundance/productivity. Therefore, success will likely have to be based on the reduction in pressure only.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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12	Technical feasibility	Substantial investigation is required to determine the current level of disturbance impacting guillemot and razorbill at each of the short-listed sites in southwest England. This can then be used to determine the baseline against which the effectiveness of the proposed measures can be assessed.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
13	Agreed compensation level & Scale/extent	The Applicant should update the Examination with the findings of any southwest England site-specific studies in summer 2024 so that the likely scale of benefits can be adequately established.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. High level calculations for colony-by-colony benefits have been presented in REP3-049, and an updated version of the Evidence Base and Roadmap will be submitted at Deadline 4. Natural England will respond in due course.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	As noted in the Applicants response to Appendix G3 at Deadline 5 (Document reference 24.2, V1, submitted at Deadline 6) across the four compensation measures available to the Project (the Plemont predator eradication measure, the ANS, the south west England disturbance reduction measures, and the Isles of Scilly predator eradication), the project can provide the required compensation at a ratio of close 2:1, for auks (1.99:1 for razorbill) using Natural England's preferred approach. As noted in document 24.2 and in I.D. 11 and I.D 36 of this document, this calculation is conservative as the compensation potential from the Isles of Scilly has not been considered when calculating the potential to deliver compensation across the Applicant's suite of measures. However, the statement received from RWE Dogger Bank South (see I.D. 11 and I.D. 36 of this document) confirms that the isles of Scilly predator control measure has been calculated as providing the full requirement for the Project using the Hornsea Four method and the UCI, at a 3:1 ratio (see ID 36 in this document) based on the parameters used in Natural England's preferred approach as provided to the Applicant at Deadline 5. In summary, the Applicant maintains that compensation is not necessary for either the guillemot or razorbill feature of the FFC or Farne Islands SPAs. Should compensation be deemed necessary then the Applicants firm position is that the use of the mean

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						impact value and a 1:1 ratio is appropriate for defining compensation quanta, given the precaution inherent in the assessments and relevant precedent. However, the Applicant has developed compensation measures which when considered collectively the required compensation could be delivered under any of the following scenarios for guillemot and razorbill dependent on which method of quantification is deemed appropriate by the SoS: • Applicants preferred approach at ratios beyond 1:1 • Natural England's Preferred Approach using the UCI, no ratio applied • Natural England's preferred approach using the UCI up to a ratio of close to 2:1 (1.99:1) The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
14	Timing: Deliverable before impact	A longer lead in time than one year is needed for the guillemot and razorbill southwest England additional measures to account for the uncertainty around how long it will take before benefits are accrued.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	Further information is being submitted as a request from the ExA during ISH6 in Appendix 1 of The Applicant's Response to Actions Points recorded at ISH5 and ISH6 (REP4a-120) The Applicant is seeking further engagement to discuss the issue and	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant reiterates that it intends to address any uncertainties regarding the efficacy of any single measure through the provision of over-compensation for impacts over the suite of measures which the Applicant has access to (see REP5-143). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the

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				determine whether agreement is possible.		Examination. The Applicant suggests that such evidence should be afforded limited weight.
15	Location of measure	In-situ monitoring will be needed to determine to what degree specific pressures are acting on guillemot and razorbill at each site in the southwest, and the likely effectiveness of any potential measures to reduce these pressures. The findings of this monitoring and the implications for site selection should be submitted into the Examination as soon as possible alongside any updates regarding landowner agreements.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
16	Long term implementation	Until bespoke measure for guillemot and razorbill are developed for each southwest site, with relevant landowners and managers consulted on the appropriate delivery mechanism and any consents and approvals required, it is not possible to have full confidence that the measures can be implemented long	D1 – No Change D2 – No Change ask Mark D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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		term. Fully populated species specific Implementation and Monitoring Plans should be submitted into the examination process at the earliest opportunity.				
17	Success criteria/Ability to prove additionality 7.5.6, Section 7	Sufficient consideration should be given to what monitoring will be required to evidence that the southwest England guillemot and razorbill additional measures has been successful in reducing the specific pressures at each site, as well as the need to monitor the target species at a regional level. Fully populated species specific Implementation and Monitoring Plans should be submitted at the earliest opportunity. Any surveys conducted in summer 2024 should include a measure of current abundance and productivity at each colony to provide a baseline.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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18	Suitable as sole measure for target species	To be able to advise on the suitability to which the southwest England additional compensatory measure can contribute to a package of measures, updated/corrected documents should be provided at the earliest opportunity.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. However, we understand the Applicant has continued to explore options for the implementation of this measure and look forward to reviewing updated information in due course.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
19	Recruitment into the National Site Network	Evidence to suggest that approximately 50% of guillemot and 80% of razorbill will disperse away from their natal colony with the potential to recruit into the FFC SPA breeding population has not been accounted for in the calculations of the scale of compensation that will be delivered by the additional guillemot and razorbill measures at colonies in the southwest. The proportion of birds likely to recruit into the National Site Network should be considered when calculating the scale of compensation required.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-057] submitted at Deadline 2, we will respond at Deadline 4 if applicable. D4 - We have requested the detailed calculations carried out by the Applicant to inform REP3-049 and will advise further in due course. In meantime please see our initial advice in Appendix G2 and our response to second written questions.	The Applicant has responded to Natural England's Appendix G2 submission in, The Applicant's Comments on Deadline 4 Submissions (REP4a-115). The Applicant awaits feedback from Natural England to confirm their position on this issue.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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20	Pressure reduction to increase productivity	Site-specific monitoring and further landowner/stakeholder engagement is required to provide confidence that the southwest sites offer pressure reduction opportunities.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. However, we understand the Applicant has continued to explore options for the implementation of this measure and look forward to reviewing updated information in due course.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight. The Applicant considers that sufficient confidence has been provided that the measures are deliverable and can provide the required level of compensation under the majority of compensation quantum scenarios whether using the Applicants or Natural England's preffered approach (see REP4-108 The Applicant's Comments on Deadline 3 Submissions). Compensation will be delivered through partnerships, with local conservation organisations delivering a range of methods to reduce disturbance in order to increase auk numbers and productivity. For sites in Cornwall, the measure(s) will be delivered collaboratively with Cornwall Wildlife Trust,the University of Exeter, and the Offshore Wind Industry Council, (OWIC). For the Berry head site ODOW will work with the Torbay Coast and Countryside Partnership to deliver the measures proposed at that site. The Applicant provided further detail on the progress of measures at Deadline 5 within REP5-111 which included letters of comfort from all relevant partner organisations and Defra (in the case of the Isles of Scilly), that indicate the intention and ability to deliver the measures proposed, as follows: • Annex 3 Letter of Comfort from Torbay-y Coast and Countryside Trust • Annex 4 Letter of Authority from Tor Bay Harbour Authority

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						• Annex 5 Letter of comfort from Corneall Wildlife Trust • Annex 6 Letter OWIC regarding Predator Eradication o the Isles of Scilly • Annex 7 Email from Defra Regarding Predator Eradication Measures on the Isles of Scilly
21	Overall confidence and theoretical in the measure: guillemot and razorbill	Due to existing gaps in understanding there would be associated risk relying on artificial nest structure as a compensation measure for Razorbill and Guillemot. There is merit in exploring this option, principally in the context of adaptive management. The proposed lead in times to deliver this compensation to a level where it is providing the required ecological function are unlikely to be sufficient.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant reiterates that it intends to address any uncertainties regarding the efficacy of any single measure through the provision of over-compensation for impacts over the suite of measures that the Applicant has access to (see REP5-143). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
22	Technical feasibility: guillemot and razorbill	The technical feasibility for ANS for auks is an experimental, unproven measure with high degrees of uncertainty around viability, but one worth exploring, particularly as it may inform the design of future ANS for auks.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant reiterates that it intends to address any uncertainties regarding the efficacy of any single measure through the provision of over-compensation for impacts over the suite of measures that the Applicant has access to (see REP5-143). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.

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						The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
23	7.7.4, Section 4.2.2 & Table 4.1	A more detailed review of ANS nesting requirements and preferences should be carried out for auks, particularly with regards to elevation and topographic complexity.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. We would welcome any further information on the Applicant's consideration of nesting requirements.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
24	7.7.4, Table 4.1	For ANS design, provide evidence to support the calculation of guillemot 20 pairs per nesting unit of 1m x 0.3m, or amend the calculation of pairs able to occupy each nesting unit accordingly.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
25	Scale/extent of measure: Guillemot, Razorbill and Kittiwake	Natural England reiterates its previous advice to the Applicant that the provision of two structures rather	D1 – No Change D2 – No Change D3 – No Change D4 – No change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111).

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		than one (either for the project alone or through strategic delivery with other Round 4 Applicants) provides resilience against the possibility of a single site not being colonised, or underperforming, due to design- or location-specific issues.		Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
26	Timing: Deliverable before impact: Guillemot, Razorbill and kittiwake	The need for a longer lead in time than the three years proposed for kittiwake ANS should be considered for auks to account for the uncertainty around how long it will take before benefits are accrued, and that impacts to guillemot and razorbill are likely to begin prior to turbines being operational, during the construction of the project in 2027.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-060] submitted at Deadline 2, we will respond at Deadline 4. D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant reiterates that it intends to address any uncertainties regarding the efficacy of any single measure through the provision of over-compensation for impacts over the suite of measures that the Applicant has access to (see document reference 20.17, V4 updated at Deadline 6). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
27	Timing: Deliverable before impact: Kittiwake	At least one ANS should be in place at least 4 breeding seasons prior to operation, even if a second is in place only three breeding seasons prior.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-060] submitted at Deadline 2, we will respond at Deadline 4.	The Applicant has responded to Natural England's advice regarding the change notice in The Applicant's Comments on Deadline 4	D5 - Natural England acknowledge the submission of 19.11 Lead-in Periods for Kittiwake Breeding on ANS [REP4-105] and will provide a response at Deadline 6.	The Applicant awaits Natural England's updated advice regarding 19.11 Lead-in periods for kittiwake breeding on Artificial Nesting Structures (ANS) [REP4-105] at Deadline 6, including comment on the DCO condition wording, in Schedule 22 Part 1 Para 4 (iii) and 5, (REP4-007, REP4a-007).

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			D4 - The Applicant has submitted a change notice regarding the reduction in lead-in time from 3 to 2 full breeding seasons. We have provided discretionary advice to the Applicant and commented on REP2-060 at Deadline 4. We await further information from the Applicant regarding the implications of a reduced lead-in time for kittiwake.	Submissions (REP4a-115). The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
28	Location of measure feature: Guillemot, Razorbill and Kittiwake	Further discussions are required on any implications of the ANS on designated sites once the specific locations have been proposed. Note that this advice is provided in the context of the proposed project specific measures and does not reflect other proposed strategic solutions.	D1 – No Change D2 – No Change D3 – No Change D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
29	Long term implementation Feature: Guillemot, Razorbill and Kittiwake	There is limited detail on the proposed monitoring, adaptive management and reporting in the event of the ANS being delivered as a project-led measure, as the Applicant has stated this will be developed post consent. Please	D1 – No Change D2 – No Change D3 – No Change D4 – No change	The Applicant has submitted information in the updated Without Offshore Artificial Nesting Structure Evidence Base and Roadmap (REP4-061) The Applicant is seeking further engagement to discuss the issue and	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an

Point	Ref from Appendix G [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix G - Offshore Ornithology Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
		see our overarching comment above regarding the need for more detail with the IMPs. Whilst the fine details can be agreed post-consent, the core elements of the monitoring should be specified in the IMP before then.		determine whether agreement is possible.		opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
30	Success criteria/Ability to prove additionality: Guillemot and Razorbill	We cannot confirm whether the stated values reflect our advice. It is not clear how success criteria/additionality will be measured in the event of the ANS being delivered as a project-led measure. It will be important to monitor productivity as well as the number of breeding pairs, which may present some challenges offshore. It will also be difficult to quantify benefits to the SPA or indeed other sites in the national site network (NSN).	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England await the submission of an updated RIAA at Deadline 4. We have also been in discussion with the Applicant regarding their methods of calculating compensation requirements for guillemot and razorbill and await further clarification from the Applicant.	The Applicant has submitted information in the updated Without Offshore Artificial Nesting Structure Evidence Base and Roadmap (REP4-061) and Report to Inform Appropriate Assessment (REP4-030). The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant has provided a response in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111). The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
31	Success criteria/Ability to prove additionality: Kittiwake	Values for breeding pairs are presented for both the Hornsea 3 and Hornsea 4 method, albeit the starting value does not reflect Natural England's	D1 – No Change D2 – No Change D3 - No change. Please refer to advice in Appendix G1. D4 – No change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking	D5 - Please refer to advice provided in Appendix G3 of our Deadline 5 submission. We will provide more detailed end of Examination advice on compensation requirements at Deadline 6.	The Applicant awaits Natural England's updated advice regarding 19.11 Lead-in periods for kittiwake breeding on Artificial Nesting Structures (ANS) [REP4-105] at Deadline 6, including comment on the DCO condition wording, in Schedule 22 Part 1 Para 4 (iii) and 5, (REP4-007, REP4a-007).

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		advised approach. It is not clear how this will be measured in the event of the ANS being delivered as a project-led measure. It will be important to monitor productivity as well as the number of breeding pairs, which may present some challenges offshore. It will also be difficult to quantify benefits to the SPA or indeed other sites in the NSN.		further engagement to discuss the issue and determine whether agreement is possible.		The Applicant also reiterates that it considers that Hornsea Four is the most appropriate method for calculating compensation due to the flawed assumptions integral to the Hornsea Three method. In summary, these are: • The Hornsea Three part 2 method assumes that all birds required to address natural wastage from the measure would come from the impacted colony; • The Hornsea Three part 2 method assumes that birds recruiting to the measure from the impacted colony is detrimental to the colony and that the resultant gaps in the impacted colony would not be addressed; • Dispersal from colonies is natural and the Applicant should not be expected to include this in any compensation calculations; and • The Hornsea Three part 2 method is fundamentally flawed as it results in a 'feedback loop'. Further details are provided in the Applicant's response to Appendix G3 submitted at Deadline 6 (document reference 24.2, V1, submitted at Deadline 6).
32	Suitable as sole measure for target species: Guillemot and Razorbill	At this stage, it is doubtful that for Auks will be suitable as a sole measure and unclear how this measure could contribute to a package of measures. The Applicant should provide updated/corrected documents at the earliest opportunity so that Natural England can provide advice on the suitability of this compensatory measure.	D1 – No Change D2 – No Change D3 – No Change D4 - Natural England await the submission of an updated RIAA at Deadline 4. We have also been in discussion with the Applicant regarding their methods of calculating compensation requirements for guillemot and razorbill and await further clarification from the Applicant.	The Applicant has submitted information in the updated HRA documents at Deadline 4, including the Report to Inform Appropriate Assessment (REP4-030). The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Please refer to advice provided in Appendix G3 of our Deadline 5 submission. We will provide more detailed end of Examination advice on compensation requirements at Deadline 6.	The Applicant awaits Natural England's updated advice regarding compensation for guillemot and razorbill at Deadline 6. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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33	Suitable as sole measure for target species: Kittiwake	See comment above re. scale/extent of measure. Whilst the level of impact is unclear, it is plausible that with appropriate scaling, and the potential use of two structures, this could function as a sole measure. Natural England advises the Applicant provides updated/corrected documents at the earliest opportunity so that Natural England can provide advice on the suitability of this compensatory measure.	D1 – No Change D2 – No Change D3 - No change. See puir advice in Appendix G1. We have not responded to [REP2-057] submitted at Deadline 2, we will respond as applicable at Deadline 4. D4 - Natural England await the submission of an updated RIAA at Deadline 4. We have also been in discussion with the Applicant regarding their methods of calculating compensation requirements for guillemot and razorbill and await further clarification from the Applicant.	The Applicant has submitted information in the updated HRA documents at Deadline 4, including the Report to Inform Appropriate Assessment (REP4-030). The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Please refer to advice provided in Appendix G3 of our Deadline 5 submission. We will provide more detailed end of Examination advice on compensation requirements at Deadline 6.	The Applicant awaits Natural England's updated advice regarding compensation for kittiwake at Deadline 6. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.
34	Uncertainties around effectiveness and appropriate ANS design: Guillemot and Razorbill	More information on the ANS frequency and resulting productivity is needed. The ANS design requirements for guillemot and razorbill is lacking in detail, a review of the requirements and preferences of auks is needed to inform the proposed design. A range of design parameters e.g. different sized and shaped ledges, would allow for a testing of the species'	D1 – No Change D2 – No Change D3 – No Change D4 - No change. We would welcome any further information on the Applicant's consideration of nesting requirements, and the potential to accommodate different niches on the structure.	With specific reference to the consideration of auk nesting space design, the Applicant recognises that the referenced design parameters, including shape and size of ledges would be beneficial. As noted in REP4-107, 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	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight.

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		preferences and provide resilience to the measure.		and delivered. The Applicant also notes in REP4-107 that it 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 Applicant can confirm that as part of the concept study and later detailed design process, different sized and shaped ledges, that would allow for a testing of the species' preferences and provide resilience to the measure, will be considered.		
35	Recruitment into the National Site Network: Guillemot and Razorbill	The evidence provided suggests that approximately 50% of guillemot and 80% of razorbill will disperse away from their natal colony, and thus a number of the birds fledging from offshore ANS have the potential to recruit into the FFC SPA breeding population. This has	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-057] submitted at Deadline 2, we will respond as applicable at Deadline 4.	The Applicant has submitted information in the updated HRA documents at Deadline 4, including the Report to Inform Appropriate Assessment (REP4-030). The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight. The Applicant has provided updated versions of Guillemot and Razorbill Compensation Quanta (document reference 20.17, V4),

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		not been accounted for in the calculations of the scale of compensation that will be delivered by the measure. Natural England advises that the proportion of birds likely to recruit into the National Site Network is considered when calculating the scale of compensation required for ANS.				Without Prejudice Guillemot Compensation Plan (document reference 7.7.2, V3, submitted at Deadline 6) and (Without Prejudice Razorbill Compensation Plan (document reference 7.7.3, V3, submitted at Deadline 6) at Deadline 6 that acknowledge Natural England's updated position on compensation calculation for guillemot and razorbill. Specifically, Natural England's updated position is that when considering the design of measures, the UCI impact, the Hornsea Four method and an appropriate compensation ratio should be used for guillemot and razorbill. For kittiwake, Natural England's advice remains that use of the Hornsea 3 stage 2 method is appropriate. A fuller response is provided in the Applicant's response to Appendix G3 to Natural England's Deadline 5 submission (document reference 24.2). The Applicant understands that the Deadline 5 advice from Natural England in Appendix G3 is as follows. **Success criteria** Success criteria are calculated with the mean impact value, using the Hornsea Four method and at a 1:1 ratio. For guillemot at the Flamborough and Filey Coast SPA, the potential compensation achievable across the three proposed measures developed by the Applicant (including collaborative measures in the South West of England) is substantially larger than the success requirement calculated, with the Applicant's potential compensation at a ratio of 41.3:1 using the Applicant's approach to impact assessment and 3.0:1 using Natural England's approach to impact assessment. The Applicant notes that this ratio is conservative given quantification of available compensation through predator eradication on the Isles of Scilly is not yet included, but the Task and Finish Group (comprising Defra, DESNZ, Natural England, The Wildlife Trusts, OWIC, The Crown Estate, and RSPB) state that: *'All parties agree that predator eradication on the Isles of Scilly has great potential to provide compensation for the impacts of offshore wind projects and would support its inclusion in project specific compensation plans. Offshore wind projects currently*

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						seeking consent might wish to submit this statement to the examining authority to demonstrate progress with this scheme, if they seek to use it as strategic compensation for unavoidable impacts to protected species likely to be impacted by their projects. The Applicant understands that the Task and Finish Group is currently quantifying the potential compensation for guillemot and razorbill and that this information will be shared with the relevant developers as soon as it is available. In the meantime, the Applicant has provided RWE Dogger Bank South with its updated compensation quanta based on Natural England's preferred approach identified in REP5-167. Following discussion with RWE Dogger Bank South regarding Natural England's revised compensation quanta, the Applicant has received the following statement from RWE Dogger Bank South: Based on the amount of available habitat suitable for the guillemot and razorbill to 'nest' at the Isles of Scilly as documented by the DBS Projects' colony count and habitat surveys undertaken in July 2024 (RWE, 2025), it is predicted that an eradication at the Isles of Scilly could provide enough rat free nesting spaces for both ODOW's and the DBS Project's guillemot and razorbill compensation needs, based on the compensation numbers for each species as derived from the HOW4 method using the 95% UCL at a 3:1 ratio. **<u>Design criteria</u>** Assuming that a ratio of 2:1 is applied for kittiwake (thus allowing further space for auks on the ANS), the following scenarios arise: ▪ For guillemot at the FFC SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1 ▪ For guillemot at the FFC SPA and the Farne Islands SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1

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						▪ For razorbill at the FFC SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1 (1.99:1) The Applicant's position is that its preferred approach, i.e. the use of the mean impact prediction with the Hornsea Four method and a 1:1 ratio, should be suitable to meet the compensation design requirements as well as the success requirements. However, should the UCI be applied then the Applicants position is that the additional built-in precaution (e.g. an additional layer of precaution to that already present in the Hornsea 4 method) that results negate the need for the Application of any ratio. That is that using the UCI without a ratio is more than adequately precautionary. However, should there be disagreement with this position, then the Applicant notes that, even with the inclusion of the additional impacts at the Farne Islands SPA, a design requirement that utilises a ratio very close to 2:1 for both razorbill and guillemot could be delivered across all measures proposed by Applicant. With the likelihood of additional compensation for guillemot and razorbill from the Isles of Scilly Predator Control measure, the Applicant's reliance on the ANS to reach the required level of compensation is lower than currently presumed. In summary, the Applicant maintains that compensation is not necessary for either the guillemot or razorbill feature of the FFC SPA. Should compensation be necessary then the Applicants firm position is that the use of the mean impact value and a 1:1 ratio is appropriate for defining compensation quanta, given the precaution inherent in the assessments and relevant precedent. However, the Applicant has developed compensation measures which when considered collectively, the required compensation could be delivered under any of the following scenarios for guillemot and razorbill dependent on which method of quantification is deemed appropriate by the SoS: • Applicants preferred approach at ratios beyond 1:1

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						• Natural England's preferred Approach using the UCI, no ratio applied • Natural England's preferred approach using the UCI up to a ratio of close to 2:1 (1.99:1)
36	Recruitment into the National Site Network: Kittiwake	If successful, ANS may provide kittiwake recruits into the wider population and therefore FFC SPA to some extent, although this would be challenging to predict or quantify. The proportion of birds likely to recruit into the National Site Network should be considered when calculating the scale of compensation required.	D1 – No Change D2 – No Change D3 - No change. We have not responded to [REP2-057] submitted at Deadline 2, we will respond as applicable at Deadline 4. D4 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5 - Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully.	The Applicant notes that Natural England will provide updates at Deadline 6, once the documentation received at Deadline 4 and 4a has been reviewed fully. The Applicant echoes the ExA's comments at Issue Specific Hearing 8 that the submission of any new information at Deadline 6, to which the Applicant should reasonably be given an opportunity to respond, risks not being accepted into the Examination. The Applicant suggests that such evidence should be afforded limited weight. The Applicant has provided updated versions of Guillemot and Razorbill Compensation Quanta (document reference 20.17, V4), Without Prejudice Guillemot Compensation Plan (document reference 7.7.2, V3, submitted at Deadline 6) and Without Prejudice Razorbill Compensation Plan (document reference 7.7.3, V3, submitted at Deadline 6) at Deadline 6 that acknowledge Natural England's updated position on compensation calculation for guillemot and razorbill. Specifically, Natural England's updated position is that when considering the design of measures, the UCI impact, the Hornsea Four method and an appropriate compensation ratio should be used for guillemot and razorbill. For kittiwake, Natural England's advice remains that use of the Hornsea 3 stage 2 method is appropriate. A fuller response is provided in the Applicant's response to Appendix G3 to Natural England's Deadline 5 submission (document reference 24.2, V1, submitted at Deadline 6). The Applicant understands the Deadline 5 advice from Natural England in Appendix G3 to be as follows. **Success criteria** Success criteria are calculated with the mean impact value, using the Hornsea Four method and at a 1:1 ratio.

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						For guillemot at the Flamborough and Filey Coast SPA, the potential compensation achievable across the three proposed measures developed by the Applicant (including collaborative measures in the South West of England) is substantially larger than the success requirement calculated, with the Applicant's potential compensation at a ratio of 41.3:1 using the Applicant's approach to impact assessment and 3.0:1 using Natural England's approach to impact assessment. The Applicant notes that this ratio is conservative given quantification of available compensation through predator eradication on the Isles of Scilly is not yet included, but the Task and Finish-Group (comprising Defra, DESNZ, Natural England, The Wildlife Trusts, OWIC, The Crown Estate, and RSPB) state that: *'All parties agree that predator eradication on the Isles of Scilly has great potential to provide compensation for the impacts of offshore wind projects and would support its inclusion in project specific compensation plans. Offshore wind projects currently seeking consent might wish to submit this statement to the examining authority to demonstrate progress with this scheme, if they seek to use it as strategic compensation for unavoidable impacts to protected species likely to be impacted by their project".* The Applicant understands that the Task and Finish Group is currently quantifying the potential compensation for guillemot and razorbill and that this information will be shared with the relevant developers as soon as it is available. In the meantime, the Applicant has provided RWE Dogger Bank South with its updated compensation quanta based on Natural England's preferred approach identified in REP5-167. Following discussion with RWE Dogger Bank South regarding Natural England's revised compensation quanta, the Applicant has received the following statement from RWE Dogger Bank South: Based on the amount of available habitat suitable for the guillemot and razorbill to 'nest' at the Isles of Scilly as documented by the DBS Projects' colony count and habitat surveys undertaken in July 2024 (RWE, 2025), it is predicted that an eradication at the

Point	Ref from Appendix G [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix G - Offshore Ornithology Compensation [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	Natural England's Deadline 5 Position	The Applicant's Current Position
						Isles of Scilly could provide enough rat free nesting spaces for both ODOW's and the DBS Project's guillemot and razorbill compensation needs, based on the compensation numbers for each species as derived from the HOW4 method using the 95% UCL at a 3:1 ratio. Design criteria ▪ For guillemot at the FFC SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1 ▪ For guillemot at the FFC SPA and the Farne Islands SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1 ▪ For razorbill at the FFC SPA, the Applicant's suite of measures meets Natural England's design criteria at a ratio of 2:1 (1.99:1) The Applicant's position is that its preferred approach, i.e. the use of the mean impact prediction with the Hornsea Four method and a 1:1 ratio, is suitably precautionary. However, should the UCI be applied then the Applicant's position is that the additional built-in precaution (e.g. an additional layer of precaution to that already present in the Hornsea 4 method) that results negates the need for the Application of any ratio. That is that using the UCI without a ratio is more than adequately precautionary. However, should the ExA or the SoS take a different view, then the Applicant notes that, even with the inclusion of the additional impacts at the Farne Islands SPA, a design requirement that utilises a ratio very close to 2:1 for both razorbill and guillemot could be delivered across all measures proposed by Applicant. This is detailed further in document 24.2. In summary, the Applicant maintains that compensation is not necessary for either the guillemot or razorbill feature (including as part of the assemblage feature) of the FFC SPA or the guillemot

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						feature of the Farne Islands SPA. Should compensation be necessary then the Applicant's firm position is that the use of the mean impact value and a 1:1 ratio is appropriate for defining compensation quanta, given the precaution inherent in the assessments and relevant precedent. However, the Applicant has developed compensation measures which when considered collectively, the required compensation could be delivered under any of the following scenarios for guillemot and razorbill dependent on which method of quantification is deemed appropriate by the SoS: • Applicant's preferred approach at ratios beyond 1:1 • Natural England's preferred Approach using the UCI, no ratio applied • Natural England's preferred approach using the UCI up to a ratio of close to 2:1 (1.99:1)
37	General	Natural England agrees that eradication of predators including rats has been shown to lead to notable increases in productivity and population size for seabirds, but notes that this is usually in relation to islands, and that the success of this measure is substantially less proven at mainland sites. Consequently, Natural England urges caution when relying on case studies in evidencing the likely success of the proposed measure.	D1 – No Change			The Applicant has provided their Deadline 4 position in Table 1.7.1 of The Applicant's Comments on Natural England's Risk and Issues Log (REP4a-111).

1.8 H Onshore Ecology

Table 1.8.1 The Applicant's Current position on Risk and Issues matters – Onshore Ecology

Point	Ref from Appendix H [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix H - Onshore Ecology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
1	H16, H17, H50 & H1	Natural England advises using a precautionary 200m buffer for assessment of construction dust impacts to nationally and internationally designated sites. This assessment should be used to inform appropriate mitigation for designated sites from construction dust, presented in the Code of Construction Practice (CoCP) Outline Air Quality Management Plan (OAQMP) [APP-270] and secured in the DCO.	D1 - No change D2 – No change D3 – No change D4 - No change. Natural England is seeking advice from specialists and will provide a further update at Deadline 5	The Applicant will await Natural England's Deadline 5 submission. To reaffirm, the construction dust assessment follows a risk-based approach, evaluating separate construction activities against three receptor groups (dust soiling, human health, and ecology). The highest identified risk level is used as the benchmark for determining mitigation measures, ensuring a comprehensive and precautionary approach. As detailed in 6.1.19 Chapter 19 Onshore Air Quality (REP4a-013), the assessment applies the maximum level of dust risk and protection, incorporating IAQM best practice controls where relevant. These are secured through 50 specific mitigation measures outlined in the Outline Air Quality Management Plan (REP4a-077). IAQM 2024 Update & Key Changes The construction dust was updated in response to s51 advice to align with the latest IAQM 2024 guidance, reflected in: • 6.1.19 Chapter 19 Onshore Air Quality [AS1-046] • 6.3.19.1 Appendix 1: Construction Dust Assessment Methodology [AS1-066] The only fundamental change in relation to ecological receptors is the reduction in the length of the public highway considered from the site entrances, from 500m to 250m, which is used to determine the source of trackout (vehicle) dust. However, the IAQM framework remains unchanged in assessing dust impacts only up to 50m from these dust sources (i.e. the site or construction routes). Ecological receptors beyond 50m are not considered in the IAQM methodology, and there is no allowance for a 200m distance. As shown in 6.1.19 Chapter 19 Onshore Air Quality Tracked [AS1-047], Section 19.8.1 outlines the changes, confirming no material impact on the Applicant's analysis using the latest IAQM 2024	D5- Issue progressed. Please refer to Deadline 5 Appendix H7. The mitigation provided by the Applicant is acceptable to sufficiently protect designated features within ecological designated sites from construction dust. To resolve this issue ongoing monitoring at ecological designated sites >50m from dust generating activity should be included and outlined within the Air Quality Management Plan and secured via requirement of the DCO to ensure any potential damaging activity to designated features generated by construction dust is captured and adjusted accordingly.	The Applicant has revised the Outline Air Quality Management Plan (AQMP) (8.1.2 Outline Air Quality Management Plan V3) to include a commitment to monitor dust deposition at relevant sensitive ecological designations. The locations will be agreed in consultation with Natural England as part of the Final AQMPs. DCO Requirement 18 requires an air quality management plan that accords with the oAQMP to be submitted for approval by LCC as part of the code of construction practice therefore this commitment is secured by a DCO requirement.

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				guidance. Table 19.16 [AS1-047] further verifies that risk levels across all receptor groups remain unchanged. The overall risk level remains High, and the suite of recommended mitigation measures remains identical between the 2016 and 2024 guidance. As a result, no updates were required to the Outline Air Quality Management Plan [APP-270]. The updated IAQM guidance does not change the assessment outcomes or mitigation measures. The approach remains precautionary and applies the highest level of dust risk and protection. To reaffirm, the IAQM framework does not provide a methodology to assess ecological receptors beyond 50m, meaning Natural England's request to extend this to 200m cannot be accommodated within the guidance.		
2	H19	The assessment of impacts on designated sites with geological features of interest has only been scoped in for the construction phase of the project. Further clarity should be included regarding the absence of impacts during the operation and maintenance phase, during cable repair and during decommissioning phase so that this can be reviewed.	D1- Resolved	Resolved.		Resolved.
3	H21 & H8	Ground investigation works should be undertaken at landfall especially given the sink holes and requirement for extra cable protection that occurred during the installation of Triton Knoll. Lessons learnt from Triton Knoll must be considered and preconstruction ground investigations secured via inclusion within the outline CoCP or Works Plans to avoid unforeseen direct or indirect	D1 – No Change D2 – No Change D3 – No Change D4- No Change	The Applicant's Deadline 4 position', sufficient clarification has been provided to allow this issue to be resolved. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- - No Change. Please refer to Tab B23	As stated at Deadline 4, the Applicant has completed a range of onshore and near-shore site investigations in 2023 and 2024, with further non-intrusive works planned for 2025 to support the detailed engineering work. The Applicant is progressing towards completing a landfall design review in 2025 in relation to reviewing the site investigation that has been completed (as above) to ensure that the above investigations are sufficient to ensure for robust

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		impacts to Chapel Point to Wolla Bank SSSI.				design that will be completed through an appointed contractor. The Applicant has confirmed that it is incorporating lessons learned from the Triton Knoll project and other similar projects through the development of the design and will continue to do so during the detailed design period.
4	H22	Mitigation measures for detailed construction plans in areas of potentially high sensitivity, appropriate pollution management controls to maintain the integrity of the area and plans to mark out the site boundary in areas where the project is near designated sites, to avoid or reduce disturbance from construction activities should be set out within the outline CoCP, secured by DCO Requirement 18 and included within pollution management plans.	D1- Issue Resolved.	The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.	Resolved	Resolved.
5	H25, H27 &H7	The only potential pathway between the Project and Sea Bank Clay Pits SSSI is if the clay pits encountered the sand and gravel horizon identified in nearby BGS logs and that horizon also extends to the HDD location. No details of suitable mitigation for this effect, should it occur, have been identified further than 'changing the method of working' or 'providing a replacement water supply'. Natural England advises that details of these backup mitigation measures are agreed with the LPA/MMO in consultation with NE prior to	D1 - Progressed. Please see our Deadline 1 Appendix H1 response. D2 – No Change D3 – No Change D4 - No change. Natural England is seeking advice from our specialist and will provide a further update at Deadline 5	The Applicant has provided a response to this item at Deadline 4, as shown within this table, and awaits confirmation from Natural England that this matter can be considered resolved	D5- No Change	The Applicant has committed to providing details of backup mitigation measures within the final CoCP to be submitted in accordance with section 5.11 of the outline CoCP secured under Requirement 18. Natural England is the relevant Statutory Nature Conservation Body and will be consulted on the detail of the proposed mitigation measures prior to discharge of the requirement and commencement of development. The Applicant understands that Natural England were seeking

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		construction and that this is secured in the CoCP prior to consent.				further advice from their specialist in respect of this however the Applicant has received no further comments to date.
6	H26, H27 &H7	The commitment to the monitoring of Sea Bank Clay Pits SSSI during construction to avoid dewatering must be secured within the DCO via the appropriate named plan.	D1 - Issue progressed See Appendix H1. The Water Quality Management and Mitigation Plan (WQMMP) within the CoCP [PD1-039] commits to mitigation and monitoring at Sea Bank Clay Pits SSSI. The CoCP is secured within the DCO. However further details is required in the CoCP. D2 – No Change D3 - Issue progressed. See Deadline 3 Cover Letter. Natural England welcomes the inclusion of the commitment to and outline of the plan for Groundwater Risk Assessment in the Water Quality Management and Mitigation Plan highlighted within the Outline Code of Construction Practice [REP2-030]. Natural England wishes to have sight of the plan as part of consent or resolve this issue. D4 - Issue Progressed. Natural England welcomes the inclusion of the commitment to and outline of the plan for Groundwater Risk Assessment in the Water Quality Management and Mitigation Plan highlighted within the Outline Code of Construction Practice [REP2-030]. Natural England wishes to have sight of the plan as part of consent to resolve this issue.	As set out in the applicant response to this issue at Deadline 4, and its response to ExA Written Question Q1 LU 1.22, Requirement 18 (2) (i) requires that the water quality management and mitigation plan be submitted for approval by the local planning authority, in consultation with (as appropriate): - Lincolnshire County Council - The Environment Agency - The relevant Statutory Nature Conservation Body. In this instance Natural England would be the relevant Statutory Nature Conservation Body. On this basis, it is the Applicant view that this commitment secures Natural England's wish to 'have sight of the plan as part of consent to resolve this issue'. On this basis it is considered that the RAG status can be changed to Green at Deadline 4a.	D5- No change	As set out in the Applicant response to this issue at Deadline 4, and its response to ExA Written Question Q1 LU 1.22, Requirement 18 (2) (j) requires that the Water Quality Management and Mitigation Plan (WQMMP) be submitted for approval by Lincolnshire County Council, in consultation with (as appropriate): - the relevant planning authority - The Environment Agency - The relevant Statutory Nature Conservation Body. In this instance Natural England would be the relevant Statutory Nature Conservation Body. On this basis, it is the Applicant's view that this commitment secures Natural England's wish to 'have sight of the plan as part of consent to resolve this issue'. It is not clear to the Applicant why NE's position is unchanged from Deadline 4a. The Applicant's position remains that the RAG status can be changed to Green at Deadline 6. It should be noted that the process to develop and approve the Water Quality Monitoring and Mitigation Plan (WQMMP) has also been discussed with the Environment Agency (EA), and that the EA are satisfied that the matter has been

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						resolved, which was confirmed in the EA's comments on the Applicant's DL2 submissions (REP3-064). The agreed process involves the updating of the Groundwater Risk Assessment (GWRA) (REP4a-058) prior to producing the WQMMP and appending the updated GWRA to the plan. This has been secured through inclusion of this process in section 5.21 of the outline Code of Construction Practice (REP5-113), which outlines the content of the WQMMP. The provision of the WQMMP is secured through DCO Requirement 18 (j) (REP5-002).
7	H28 & H2	Natural England advises Sea Bank Clay Pits SSSI, and its designated assemblages of breeding, passage and overwintering birds are included in assessment of noise disturbance from construction, construction traffic and decommissioning.	D1 - No change. . D2 – No change D3 – No change. See our advice in Appendix H2. D4 - No change. It is noted in the Applicant's Responses to our Relevent Representations [PD1-071] that the modelling used to assess Anderby Marsh Nature Reserve has been used to assess Sea Bank Clay Pits SSSI. This should be included in ES Chapter 26 [APP-081] to demonstrate no anticipated impacts to the designated features of the SSSI.	Assessment of the Sea Bank Clay Pits SSSI has been included within the updated ES Chapter 26 (REP4a-021) submitted into the examination at Deadline 4a.	D5: Issue resolved. Please refer to Appendix H7 at Deadline 5. Sea Banks Clay Pits SSSI has been included as an ecological receptor in the noise assessment in ES Chapter 26 v2 [APP-081] as requested in our Rel Reps [RR-045].	Resolved.
8	H29 & H2	The Impact Risk Zones (IRZs) should be used to flag any sections of the Project that have potential to disturb the designated features of nationally designated sites from construction, construction traffic and decommissioning noise pollution. This includes functionally land. Project and species specific data should be	D1 - No change. D2 – No change D3 – No change. See our advice in Appendix H2. D4- D4 - No change. Natural England acknowledges that surveys have been undertaken and can be used to inform the baseline and so identify appropriate avoidance, mitigation and compensation from the noise impact modelling. However, the principle of	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. Further to the above it is considered that all ecological sensitive receptors and FFL have been	D5- Issue resolved. Please see Deadline 5 Appendix H7 at Deadline 5. While the Applicant has used their own survey data to assess FLL in ES Chapter 22, and included mitigation where fields are used by brent geese or lapwing, Natural	Resolved.

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		used to refine impacts assessments and inform mitigation measures.	our initial request is the same, it is not clear in ES Chapter 26 [APP-081] how the data collected and presented in ES Chapter 22 [APP-077] has been used to inform the impact assessment design and evaluation. It has not been demonstrated that birds, as ecological noise sensitive receptors, have been assessed as NSR within identified areas of functionally linked land, as shown in ES APP-077. To resolve the issue, data collected from APP-077 should be evidenced and justified in APP-081 to inform the design and evaluation of ecological NSR and application of the mitigation hierarchy.	appropriately assessed in ES Chapter 26 (REP4a-021) and Chapter 22 (APP-077)	England is satisfied this approach is acceptable for this projects assessment of ornithological features and the bird usage of functionally linked land.	
9	H30, H31 & H2	The designated bird features of The Wash SSSI, SPA and Ramsar impacted by noise pollution, i.e. listed breeding and non-breeding birds, and assemblages of breeding and non-breeding birds, have not been specifically identified and assessed. The designated features of sites should be included in assessment for their unique and impacts from noise pollution from construction, construction traffic and decommissioning. This should include any FLL.	D1 - No change. Refer to Onshore Ornithology Tab I. D2 – No Change D3 – No Change. See our advice in Appendix H2 D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. Further to the above it is considered that all ecological sensitive receptors and FFL have been appropriately assessed in ES Chapter 26 (REP4a-021) and Chapter 22 (APP-077)	D5- Issue resolved. See Appendix H7 at Deadline 5. Natural England's preferred approach is to assess the specified features of designated sites spatially, and ideally this would be done by noise contour mapping and include any functionally linked land. However, the use of the 55dB LAeq,1hr threshold to derive a set back distance is acceptable for the bird features of the identified designated sites.	Resolved
10	H32, H40. H49, & H3	A generic threshold based on the minimum compliance thresholds identified in the ABC Method (British Standard	D1 - No change. D2 – No Change D3 – No change. See our advice in Appendix H2.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5- Issues resolved please refer to Appendix H7 at	Resolved

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		5228:2009+A1:2014) has been used to assess disturbance from construction noise for all ecological NSRs at designated sites and within any land that is considered functionally linked to designated sites. The Applicant should identify thresholds appropriate to each receptor. Ensure the thresholds are considered in the wider spatial and temporal context.	D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. Further to the above it is considered that all ecological sensitive receptors and FFL have been appropriately assessed in ES Chapter 26 (REP4a-021) and Chapter 22 (APP-077)	Deadline 5. Whilst this is not our preferred approach, this is acceptable and appropriately justified within ES Chapter 26 v2 [APP-081] Section 26.7.6.6 for this project. H40- Whilst the Applicant has not modelled the noise levels in line with Natural England guidance, they have looked at the designated sites and the use of FLL by different species and included mitigation in the form of timing of works within ES Chapter 22. As such, Natural England is satisfied with the Applicant's conclusions in this instance.	
11	H33, H40 & H3	Natural England requests that the construction and operational noise impact magnitudes be reviewed in line with our comments on the use of the minimum compliance ABC Method. Review the construction noise impact magnitude in terms of impacts based on thresholds of the designated features of designated ecological sites, i.e. the listed birds and mammals in their relevant spatial and temporal contexts.	D1 - No change. D2 – No Change D3 – No change. See our advice in Appendix H2. D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. Further to the above it is considered that all ecological sensitive receptors and FFL have been appropriately assessed in ES Chapter 26 (REP4a-021) and Chapter 22 (APP-077)		
12	H34, H41 &H4	The Applicant should collect characterisation data to ensure impacts from noise pollution can be adequately modelled and assessed for the designated features of the Sea Bank Clay Pits SSSI sensitive to noise i.e. the breeding, wintering, and passage bird assemblages.	D1 - No change. D2 – Closed. D3 No Change. See our advice in Appendix H2 D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5. D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	With regards to the collection of characterisation data the applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. As referenced in Point 7, a construction noise assessment of the Sea Bank Clay Pits SSSI has now been included within ES Chapter 26 (REP4a-021)		
13	H35, H42 & H4	The assessment of noise impacts from construction activities along the ECC to The Wash SSSI, SPA	D1 - No change. Also Refer to Tab I for any update. D2 – No Change	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.	D5- Issue resolved. Please see Deadline 5 Appendix H7. Despite	Resolved.

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		and Ramsar does not adequately assess the ecological noise sensitive receptors (NSRs) at these designated ecological sites, the Applicant should collect baseline characterisation data at the designated sites and FLL to ensure impacts from noise pollution can be adequately modelled and assessed for the designated features of the SSSI, SPA and Ramsar sensitive to noise.	D3 – No Change. See our advice in Appendix H2. D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible. Further to the above it is considered that all ecological sensitive receptors and FFL have been appropriately assessed in ES Chapter 26 (REP4a-021) and Chapter 22 (APP-077)	that lack of read-across, Natural England are satisfied that FLL is considered in the ornithology chapter, including mitigation measures.	
14	H36, H42 & H5	Reference should be made within the Noise and Vibration Management Plan (NVMP) [APP-269] to the targeted nature of mitigation measures for potentially impacted interest features of designated sites based on collected evidence in the EIA. The NVMP should ensure noise pollution is monitored during construction and decommissioning phases at the sensitive ecological receptor sites with appropriate mitigation implemented to manage noise pollution impacts to these receptors.	D1 - No change. Also Refer to Tab I for any update. D2 – No Change D3 – No Change. See our advice in Appendix H2. D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5 – Issue progressed. Please see our Deadline 5 Appendix H7. Natural England welcomes the mitigation measures. Commitments to monitoring of noise disturbance will need to be secured to resolve this issue.	Please refer to the Applicant's comments on Natural England's Appendix H7 in Applicant's Comments on Deadline 5 Submissions (document reference 24.2, V1, submitted at Deadline 6).
15	H37, H42, H47, H51 & H5	Depending on the survey data, noise mitigation measures are likely to be required in certain locations from September through to the end of April. The Applicant should use robust baseline data and protected sites IRZ to establish appropriate mitigation buffers around FLL in addition to that already proposed and ensure that any seasonal restriction is fit purpose. The	D1 - No change. Also Refer to Tab I for any update. D2 – No Change D3 – No Change D4 - No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		Please refer to the Applicant's comments on Natural England's Appendix H7 in Applicant's Comments on Deadline 5 Submissions (document reference 24.2, V1, submitted at Deadline 6).

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		Applicant will need to ensure the identified mitigation is included in an appropriate Management Plan, such as NVMP.				
16	H38 &H42	The Applicant should ensure pre-construction baseline data is collected at the designated sites and associated FLL, and appropriate methodology is applied to adequately assess impacts to the designated features of the sites. Appropriate mitigation should be identified during the consented phase and included within the NVMP. This will need to be agreed upon with the Local Planning Authority (LPA) in consultation with NE prior to construction.	D1 - No change. Also Refer to Tab I for any update. D2 – No Change D3 – No Change D4- No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- Issue resolved. ES Chapter 26 v2 [APP-081] does not include FLL as an ecological receptor, and the assessment of FLL impacts in the ES Chapter 22 does not refer to the set back distances used in ES Chapter 26. Despite the lack of read-across, Natural England are satisfied that FLL is considered in ES Chapter 22 Onshore Ornithology, including mitigation measures. Table 22.21 in ES Chapter 22 sets out that there will be seasonal restriction to avoid works within 400m of core areas used by brent geese at the Haven. Based on this, and the NVMP, Natural England is satisfied that noise disturbance to birds using the Haven area will be avoided.	Resolved
17	H39	Modelling is provided at the consenting phase to demonstrate that the stand-off distances imposed for the LAeq, 1-hour limit are adequate at mitigating activities within the LAmax limit at designated sites and any functionally linked land.	D1 – No Change. D2 – No Change D3 – No Change. D4- No change. Natural England is seeking advice from our specialist on this matter and will provide a further update at Deadline 5.	This comment has been addressed in the Applicant's response to NE relevant representations, comment H39 [PD1-071] as shown in the following text. "The purpose of Table 26.61 is to demonstrate that the standoff distance to achieve the L_{Amax} limit contained in AQTAG09 is shorter than to achieve the $L_{Aeq, 1\text{-}hour}$ limit contained in AQTAG09, and this has	D5- Issue Resolved. Please see Deadline 5 Appendix H7. Whilst the Applicant has not modelled the noise levels in line with Natural England	Resolved

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				been proven with the use of a noise model and the assumptions described in Paragraphs 310 and 311 of ES Chapter 26 [APP-081]. Therefore, the standoff distance of 140m which applies to where the $L_{Aeq, 1\text{-}hour}$ limit is met, would be adequate to mitigate the noise from L_{Amax} levels to a level below the L_{Amax} limit. Based on the calculation undertaken the standoff distance to where the L_{Amax} limit is met is 30m (110m less than the standoff distance associated with the $L_{Aeq, 1\text{-}hour}$ limit). However as stated in Paragraph 285 of ES Chapter 26 [APP-081], it must be noted that as there is limited published data regarding the maximum (L_{Amax}) noise levels from plant the predicted maximum noise levels should be treated with a degree of caution. The assumptions used to establish the maximum (L_{Amax}) noise levels from plant are described in Paragraph 282 of ES Chapter 26 [APP-081] and ensure the assessment is robust" On this basis it is considered that the RAG status can be changed to Green at Deadline 4.	guidance, they have looked at the designated sites and use of FLL by different species, and included mitigation in the form of timing of works within ES Chapter 22. As such, Natural England is satisfied with the Applicant's conclusions in this instance.	
18	H44 & H6	Sea Bank Clay Pits SSSI and its features should be included as sensitive ecological receptors in the final Pollution Prevention and Emergency Incident Response Plan (PPEIRP) risk assessment with regards to the use of drilling fluid. We would expect to see a specific bentonite 'frack-out' management plan.	D1 – No Change D2 – No Change D3 – No Change D4- No change. Natural England advises the Applicant commits to including Sea bank Clay Pits SSSI and it's features as sensitive ecological receptors in the Final PPEIRP.	As set out in the Applicants response to ExA Written Question Q1 LU 1.22; "The final PPEIRP will be prepared by the contractor, to reflect the actual methodologies and assessment of risks. The plan is secured through draft DCO (PD1-024) Requirement 18 (2) (h) which requires the plan to be submitted for approval by the relevant planning authority, in consultation with (as appropriate): - Lincolnshire County Council - The Environment Agency - The relevant Statutory Nature Conservation Body. The Applicant believes that it is therefore not necessary to refer to any specific sites in the outline plan, as the relevant authorities are party to the approval process of the final plan and can respond accordingly at that stage if any important sites are omitted."	D5- No change. Natural England advises the Applicant commits to including Sea bank Clay Pits SSSI and it's features as sensitive ecological receptors in the Final PPEIRP.	The Applicant has included a commitment within the Outline CoCP (document 8.1, V8, submitted at Deadline 6) section 5.11 Pollution Prevention and Emergency Responses to include Sea bank Clay Pits SSSI and its features as sensitive ecological receptors in the Final PPEIRP. On this basis it is considered that the RAG status can be changed to Green at Deadline 6.

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19	H45	Natural England advises that they like to see the Viking Carbon Capture and Storage pipeline and National Grid Grimsby to Walpole project are included for consideration of in-combination effects. Natural England advises the two named projects are considered within the HRA in combination assessment.	D1 – Progressed. The Applicant has advised that Viking Carbon Capture and Storage Pipeline is included in the RIAA addendum [PD1-096]. National Grid to Walpole remains as not scoped in. D2 – No Change D3 – No Change D4- Resolved. Natural England welcomes that Viking carbon Capture has been included in the in-combination assessment.	This comment has been addressed in the Applicant's response to NE relevant representations [PD1-071] comment H45, as follows. *"The HRA Screening report [APP-239] identified relevant NSIP and major development projects to be included in the in-combination assessment. Two additional projects were identified for inclusion at the RIAA stage and Table 10.45 of AS1-097 lists these projects. In addition, allocations for major developments within the relevant Local Plans were identified as listed in Table 10.46 of AS1-097. The National Grid Grimsby to Walpole scheme was not scoped in to the assessment noting this Project is at non statutory consultation and therefore an assessment cannot be undertaken due to there being insufficient information available in the public domain. Regarding the Viking Carbon Capture and Storage pipeline, the Applicant notes this was not included in error and an addendum to the RIAA (document 15.17) has been submitted alongside this response document which outlines no change to the assessment conclusions."* Justification has been provided for not scoping in the National Grid Grimsby to Walpole project and on this basis it is considered that the RAG status can be changed to Green at Deadline 4.	. D5- The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.	Resolved
20	H46	No mitigation is discussed in relation to construction dust and its impacts on designated sites. Natural England advises mitigation for construction dust is included within the embedded mitigation of the HRA.	D1 – No Change D2 – No Change D3 – No Change D4 - In Progress. Natural England welcomes that mitigation for dust is included in the AQMP [APP-270]. However, Natural England is not yet satisfied with the screening criteria for assessing the impacts from construction dust.	This comment has been addressed in the Applicant's response to NE relevant representations [PD1-071] comment H46 as follows. *"The construction dust controls (as outcome of the IAQM construction dust assessment – presented in Chapter 19: Onshore Air Quality, Section 19.8.1.1) are proposed within the AQMP which forms part of the Outline CoCP [APP-268]. A CoCP is Requirement 18 of the draft DCO and is therefore considered embedded mitigation. The construction dust controls are therefore embedded mitigation."*	D5- Issue progressed. Please refer to Deadline 5 Appendix H7. See comment from Point 1 (Ref H16, H17, H50 & H1) re monitoring.	See response to Point 1 (H16, H17, H50 & H1).

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				Reference to the AQMP and CoCP are included in the embedded mitigation section, Table 6.1, of the RIAA [AS1-097] as follows. *"Measures to control emissions are included within the Outline Air Quality Management Plan (AQMP) (document 8.1.2), provided as part of the Outline CoCP".* On this basis it is considered that the RAG status can be changed to Green at Deadline 4.		
21	H48	Within the HRA, there is no indication that the nationally and internationally designated sites have been assessed using the Impact Risk Zones (IRZs) available on Defra's Magic Maps in the mitigation assessment. This includes important areas of FLL, which have not been assessed along the ECC. Ensures areas of FLL outside the 400m buffer and within the IRZ for Goose and Swan FLL are assessed for construction disturbance.	D1 – No change. Also Refer to Tab I for any update. D2 – No Change D3 – No Change. D4- Known areas of goose and swan functionally linked land are included on the IRZs and these are triggered along the cable route corridor. However, NE acknowledge that surveys have been undertaken and can be used to inform the baseline and so identify appropriate avoidance, mitigation and compensation from the noise impact modelling. As noted in the Applicant's Response to Written Questions, the approach has been agreed with NE and so this issue can be resolved.	This comment has been addressed in the Applicant's response to NE relevant representations [PD1-071] comment H48, as follows. *"The IRZs do not specifically identify areas of known FLL, as the attributes information associated with the IRZs available on MAGIC[20] only details where different types of development may result in an impact to the relevant SSSI; it does not specify whether or not the land has been identified as being FLL.* *IRZs identify whether a particular type of project (in this case 'infrastructure') has the potential to impact upon a SSSI (and co-located SPA). This considers multiple potential impact pathways, both direct and indirect, of which impacts to FLL is only one. The publicly available information does not identify where there is known FLL. The Project has undertaken two years of baseline surveys for wintering birds along the entirety of the onshore Order Limits plus 400m buffer to establish which areas are utilised by qualifying bird species, and therefore which are potentially functionally linked. The survey and assessment has not been limited to those parts of the Order Limits plus 400m buffer which overlap with the IRZ and instead has taken a more precautionary approach and considered the entirety of the Order Limits plus 400m buffer. As stated in Section 22.4.1 of APP-077, the 400m survey buffer was agreed with Natural England through the Evidence Plan Process, beyond which birds are*	Resolved	Resolved

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				unlikely to be affected by cable-trenching construction related disturbance. *[20] https://magic.defra.gov.uk/ (accessed 01.08.2024)"* On this basis it is considered that the RAG status can be changed to Green at Deadline 4.		
22	H52, H56, H14 & H15	Natural England has not yet received a draft licence application for bat species in order for us to provide a Letter of No Impediment (LoNI). The OLEMS document states that currently a EPS licence for bat species is not considered necessary. While Natural England acknowledge that the mitigation hierarchy has been used to avoid impacts. Natural England advises early engagement with NEWLS.	D1 – Progressed . As Natural England understands, the Applicants been in communication with NEWLS, Applicant doesn't consider a bat licence is required due to mitigation they are suggesting. Please see our Deadline 1 Appendix H1 response. D2 – No Change D3 – No Change D4 - No change. Natural England refers the ExA to our previous advice at Deadline 1, Appendix H1. We advise the Applicant to update mitigation measures as appropriate within the Schedule of Mitigation [REP2-040].	The Applicant has provided further clarification on this Issue within the OLEMS (REP4-071) updated at Deadline 4 to include changes to bat mitigation requested by NE. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible	D5- Issue Resolved. Please refer to Deadline 4a Appendix H6 [REP4a-146]. Natural England advises it is for the Applicant to decide if a mitigation licence is required. Mitigation measures presented by the Applicant are consistent with expected best practice and recommended ecological guidelines. Should the need for a licence subsequently be identified we encourage the Applicant to engage with Natural England through the LoNI process.	Resolved.
23	H53 & H15	It is noted that alterations to the redline boundary occurred after the completion of bat surveys to inform the baseline data set. Any areas not surveyed which have habitat suitable for roosting, foraging or are integral to connectivity, and that will be directly impacted by works need to have the appropriate level of	D1 – No Change D2 – No Change D3 – No Change D4- No change. Our advice at Relevant Representation [RR-045] remains unchanged.	The Applicant has provided further clarification on this Issue at Deadline 4. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- Issue resolved. Please refer to Deadline 4a Appendix H6 [REP4a-146]. The Applicant has confirmed that pre-commencement surveys will be carried out and the information used to update and inform the need for bat mitigation	Resolved

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		surveys undertaken before conclusions on impacts and licence requirements can be made.			licences; Natural England welcomes this [REP4-072]. Should further surveys indicate potential impacts to bats that might require a licensable approach, we advise the Applicant to engage with Natural England through the LONI process as soon as possible.	
24	H54	Pre-construction tree climbing inspections are required on any trees identified via Ground Level Assessment (GLAs) as having moderate -high Potential Roosting Features (PFR's) where there are direct impacts such as removal, structural works or likely subjected to disturbance that may impact roosting bat behaviour. This will need to be secured as part of the DCO and/or named plan.	D1 – Issue addressed. Natural England notes this is included within the updated OLEMS [AS1-103].	Resolved		Resolved
25	H55	Consider aggregations of Nathusius's pipistrelle in late summer/early autumn and whether any surrounding features might constitute a feature of importance. Ensure that linear features which could be impacted by works or high potential features of importance (surveyed via remote detectors and with call registrations recorded) are included within a mitigation strategy. Proposed mitigation should be presented within the OLEMS .	D1 – Progressed. Please see our Deadline 1 Appendix H1 response. D2 – No Change D3 – No Change D4- No change. Natural England refers the ExA to our previous advice at Deadline 1, Appendix H1. The Applicant should present the proposed mitigation with the OLEMS to ensure mitigation is secured.	The Applicant has provided further clarification on this Issue within OLEMS (REP4-071) updated at Deadline 4 to include changes to bat mitigation requested by NE. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- Issue Resolved. Please refer to Deadline 4a Appendix H6 [REP4a-146]. We are satisfied with proposed mitigation presented within the OLEMS.	Resolved

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26	H57 & H14	Pre-construction surveys for badger should include detailed territorial analysis to ensure correct placement of any artificial badger sett(s) required as mitigation. Bait marking is considered the best method for conducting territorial analysis. This requirement should be included within the OLEMS.	D1 – No change. Please see our Deadline 1 Appendix H1 response. Natural England would welcome further discussion over the licencing mitigation approach for badger. D2 – No Change D3 – No Change D4 - No change. Natural England has reviewed the latest version of the OLEMS [REP3-028]. Natural England notes the document refers to Annex A.6 regarding protected species rationale and further mitigation for badgers. Relevant information as described appears to be missing from the document - please can the Applicant provide clarification on where this information is located so it can be reviewed.	The Applicant has provided further clarification on this Issue at Deadline 4. The Applicant submitted information at Deadline 3 within the OLEMS [REP3-027] which it hopes will allow this Issue to now be agreed. We await feedback from Natural England to confirm agreement on this Issue.	D5- Issue resolved. Please refer to Deadline 4a Appendix H6 [REP4a-146]. This requirement is now secured within the Confidential OLEMS and Annex 7 for Badgers [REP3-030].	Resolved.
27	H58	Construction of artificial badger setts must be complete prior to the exclusion works and there should be evidence that the badgers have found the sett. Evidence could be gained from a variety of monitoring techniques. Attractive bait such as peanuts as well as bedding can be used to assist the badgers locate the artificial sett. Construction recommendations should be followed and mitigation secured in the OLEMS.	D1 –No change. Please see our Deadline 1 Appendix H1 response. Natural England would welcome further discussion over the licencing mitigation approach for badger. D2 – No change. D3 – No change. D4- No change. Natural England has reviewed the latest version of the OLEMS [REP3-028]. Natural England notes the document refers to Annex A.6 regarding protected species rationale and further mitigation for badgers. Relevant information as described appears to be missing from the document - please can the Applicant provide clarification on where this information is located so it can be reviewed.	The Applicant has provided further clarification on this Issue at Deadline 4. The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- Issue Resolved. Please refer to Deadline 4a Appendix H6 [REP4a-146]. This requirement is now secured within the Confidential OLEMS and Annex 7 for Badgers. .	Resolved.
28	H59, H14 & H15	The approach to mitigation (where setts cannot be avoided)	D1 – No change. Please see our Deadline 1 Appendix H1 response.	The Applicant has provided further clarification on this Issue at Deadline 4.	D5-	

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		will need to be undertake pre-commencement/preconstruction surveys to determine if a badger sett will be affected by the proposed construction and then apply for a licence. There is however no guarantee that Natural England will issue a licence and a draft species licence should be submitted prior to consent for a LoNI to be issued to provide the ExA and the decision maker the necessary level of comfort appropriate issues relating to badger species are addressed.	Natural England would welcome further discussion over the licencing mitigation approach for badger. D2 – No Change D3 – No Change D4 - No change. Natural England refers the ExA to our previous at Deadline 1, Appendix H1. Natural England would welcome further update from the Applicant over the licencing mitigation approach for badger.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	Issue Resolved. Please refer to Deadline 4a Appendix H6 [REP4a-146]. Natural England encourages the Applicant to undertake pre-construction surveys following receipt of the DCO. Should the need for licences for impacts to badgers be identified as a result of those pre-construction surveys, we encourages the Applicant to engage through the LoNI process.	Resolved
29	H60, H61, H62. H14 & H15	For Great Crested Newts (GCN) it is recommended that guidance available from NEWLS is followed if a draft Letter of No Impediment (LONI)is sought. Ideally surveys involve Habitat Suitability Index appraisal and eDNA survey of ponds within the red line boundary and surrounding 250m. Where data gaps exist follow up surveys should be planned if/when access can be agreed.	D1 – Natural England has issued a GCN LONI. The GCN mitigation should be in accordance with the LONI.	Resolved		Resolved
30	H63	Further pre-construction survey effort to confirm presence or absence of widespread and common reptiles should be undertaken. The approach would be in line with Natural England's Standing Advice for Reptiles. This will need to be secured in the DCO/OLEMS and final mitigation design agreed with the LPA in consultation with NE.	D1 – Resolved. The Applicant has updated the OLEMS according to Natural England's Standing Advice.	Resolved		Resolved
31	H64, H14 &H15	"The OLEMS states that there may be a requirement to apply	D1 – No change. Please see our Deadline 1 Appendix H1 response.	The Applicant has provided further clarification on this Issue at Deadline 4.	D5-	The Applicant has committed to additional pre-construction

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		for an EPS mitigation licence should it not be possible to avoid disturbance impacts to otters. A draft species licence should be submitted prior to consent for a LoNI to be issued to provide the ExA and the decision maker the necessary level of comfort that Natural England, as the statutory licensing authority, has considered appropriate issues relating to otter."	Natural England would welcome further discussion over the licencing mitigation approach for otter. D2 – No Change D3 – No Change D4 - No change. Natural England refers the ExA to our previous at Deadline 1, Appendix H1. Natural England would welcome further update from the Applicant on licencing mitigation approach for otter.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	Issue Progressed. Please refer to Deadline 4a Appendix H6 [REP4a-146]. The Applicant deems the mitigation proposals effective at minimising disturbance levels, rendering it unnecessary to apply for a A45 licence. Such an approach is wholly the decision of the Applicant. Natural England has not been presented with sufficient information for review to determine the effectiveness of the outlined mitigation measures as presented within the OLEMS. Any impacts to natal holts would be considered high impact and high risk with respect to licensing, and would therefore need careful and deliberate mitigation and compensation measures in response. The Applicant should engage with NE at the earliest stage should the need for a licence or licences with respect to otters be identified.	surveys in V7 of the OLEMS (REP5-119). These include surveys of all water courses which may be directly affected within, or immediately adjacent to the Order Limits (250 m upstream/ downstream of Order Limits). Furthermore, a camera trapping survey will be carried out if otter holts are recorded. In the future, should the pre-commencement surveys reveal new evidence of otter presence, or suggest that new impacts on otter would occur, an assessment of the need for further mitigation would be carried out. If the ECoW considers that an offence under the WCA would still be possible, an A45 licence would be applied for at that time using the LoNI process.
32	H65	"The OLEMS document states that where impacts water vole cannot be avoided and where the CL31 licence cannot be used then either a separate displacement licence or trapping licence will be	D1 – Natural England has issued a water vole LONI. Mitigation for water vole should be in accordance with the LONI.	Resolved		Resolved

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		applied for. A draft species licence should be submitted prior to consent for a LoNI to be issued to provide the ExA and the decision maker the necessary level of comfort that Natural England, as the statutory licensing authority, has considered appropriate issues relating to water vole"				
33	H66	"We encourage developers to develop BNG proposals in adherence with well-established BNG principles: BS 8683:2021 Process for designing and implementing Biodiversity Net Gain, CIEEM/IEMA/CIRIA good practice principles (2016) and guidance (2019). Use the Defra biodiversity metric to calculate BNG and adhere to the rules and principles set out within the metric guidance. Biodiversity gains should be secured for a minimum of 30 years and be subject to adaptive management and monitoring. BNG plans should be secured by a suitably worded requirement in the DCO."	D1 – Please refer to our Deadline 1 Appendix H1 response. Subject to BNG being secured within the DCO, Natural England will not engage further within examination.	The Applicant is continuing to explore opportunities for BNG with local stakeholders. The Applicant has not entered into discussions with Natural England in respect of BNG.		The Applicant is committed to delivering a net gain in biodiversity using an appropriate metric and securing the net gain for any off-site measures that are required through an appropriately worded agreement as set out in the OLEMS (document reference 8.10, V8, submitted at Deadline 6) The Applicant is continuing to explore opportunities for BNG with local stakeholders. The Applicant has not entered into discussions with Natural England in respect of BNG.
34	H67	Natural England highlights that decision makers are responsible for ensuring that they have sufficient detailed agricultural land classification (ALC) information to apply National Planning Policy Framework (NPPF) policies for NSIP applications. Natural England advises NPPF paragraph 181 and Footnote 62 is included and given further consideration.	D1 – No Changes D2 – No Changes D3 – No Changes D4-- In progress. Natural England notes that NPFF 180 is referenced in Chapter 25, as well as EN-1. Natural England advises that NPPF paragraph 181b and Footnote 62 are included, as well as EN-3. NPS EM3 para 2.8 directly addresses offshore wind and 2.10.33 refers to ALC.	The Applicant has included NPPF paragraph 181 and footnote 62 in Table of the ES Chapter 25. Section 2.8 of the National Policy Statement for Renewable Energy Infrastructure (EN-3) primarily addresses offshore renewable energy projects, and aspects such as, but not limited to marine and coastal habitats and species. It does not cover onshore land use because EN-3 is specifically designed to guide the development and assessment of offshore renewable energy infrastructure. For onshore renewable energy projects, the relevant policies and guidelines are found in other	D5- Issue Progressed. Natural England acknowledges that 181 and Footnote 62, are included in Chapter 25 [REP4a-020]. To resolve this issue Natural England advises that NPPF paragraph should be '181b'. EN-3 should also be included.	The Applicant's position is that all appropriate policies have been considered and included within the assessment. Therefore, whilst this matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact. The December 2023 version of the NPFF was relevant at the time the ES was prepared. This version contains paragraph 181 and

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				documents, such as the Overarching National Policy Statement for Energy (EN-1). Therefore, there are no relevant paragraphs in NPS EN-3 section 2.8 that relate to onshore land use. Paragraph 2.10.33 of the National Policy Statement for Renewable Energy Infrastructure (EN-3) discusses Agricultural Land Classification (ALC) specifically in the context of Solar Photovoltaic (PV) Generation. This section addresses the impact of solar PV projects on agricultural land, providing guidelines for assessing and mitigating these impacts. This guidance is tailored to the considerations of solar PV installations, it is not directed towards offshore wind projects.		footnote 62 but does not contain paragraph 181b. The Applicant believes that Natural England may have requested that this be referenced in error and instead may have intended to request that paragraph 180b is included, which states: *"180. Planning policies and decisions should contribute to and enhance the natural and local environment by:* *...* *b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;"* The Applicant has already included paragraph 181 (including footnote 62) and paragraph 180b within in Table 25.1 of the ES Chapter 25. [REP4a-019]. The Applicant maintains that all relevant policies within EN-3 have been considered as part of the assessment.
35	H69 & H9	Post 1988 ALC data in the vicinity should be considered for broader context and to strengthen the assessments.	D1 – Progressed. The Applicant has clarified that there are no parcels of land with post 1988 ALC data in the vicinity. Further update will be provided at Deadline 2. D2 – No Changes D3 – No Changes D4 - Resolved. The Applicant has clarified that there are no parcels of	The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.		Resolved

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			land with post 1988 ALC data in the vicinity.			
36	H70, H71, H72, H77 & H10	A detailed assessment of the Agricultural Land Classification (ALC) or soil function testing along the order limits to inform the route selection and the Outline Soil Management Plan (SMP) [APP-271] and Outline Code of Construction Practice was not provided. There is a requirement to identify areas of deep peat and peaty soils in the area and show how the project avoids impacting best most versatile (BMV) land. Update the ES to present further site specific information on detailed and semi detailed ALC and soil function surveys. This is required to assist the decision maker and apply the NPS (EN-3).	D1 – No change. Please see our Deadline 1 Appendix H2 response. D2 – No Change D3 – No Change D4- D4 - No change. Natural England's' advice remains for the Applicant to commit to ALC surveys pre consent. ALC surveys are required to inform the Environmental Statement. Please see Appendix H5 submitted at Deadline 4 for further comments, in addition to our previous advice at Deadline 1.	The Applicant has submitted an outline soil management plan (oSMP document reference 8.1.3, version 5) which will be further refined into a final soil management plan which will include detailed mitigation measures based on the ALC surveys. An overview of the soil types in coastal Lincolnshire and management of soils potentially subject to 'running sand' problems are described within the oSMP. The oSMP includes mitigation measures for the soil types identified and running sands. The preservation and protection of soils will be achieved through the implementation of good practice measures for the handling, storage and reinstatement of soils as set out in the SMP and CoCP. There are significant advantages to the Applicant's scheduling of ALC surveys. Through the examination process, the Applicant has incorporated measures within the oSMP that exceed the ALC guidance for soil surveys. This ensures that the survey methodology will be suitably detailed and fit for purpose for this specific site and the relevant parties affected. According to MAFF guidance, laboratory testing on soils is not mandatory, as the visual assessment and hand texturing conducted during the survey are sufficient to determine soil textures and properties. By strategically timing the ALC and soil surveys, the Applicant has been able to incorporate additional surveying commitments within the oSMP, specifically addressing the concerns of TH Clements and Woodlands, thereby ensuring a more comprehensive and beneficial outcome for the landowners.	D5- No Change. Please refer to Deadline 5 Appendix H8. Natural England's' advice remains for the Applicant to commit to ALC surveys pre consent.	It is not clear to the Applicant why NE's position is unchanged from Deadline 4a. The Applicant's position is that whilst this matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact. The Applicant's position is that it has provided sufficient information to justify the approach taken in regard to ALC surveys and peat management. Undertaking ALC surveys prior to consent will not change the likelihood of significant effects, as a worst-case scenario has been assumed for the baseline environment (i.e. that all land is BMV). Measures are secured within the oCOCP and oSMP to ensure the sustainable handling of soils and deep peat to mitigate the risk of soil damage and degradation. As has been established in numerous other DCO applications, it is common practice to finalise mitigation based on the options identified following consent, once more information about the project is available. Within the Applicant's Responses to EXQ1 [REP2-051] it provided examples of some of the numerous other Nationally Significant Infrastructure Projects where

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				The MAFF guidance sets out observation points are to be surveyed at 1 per hectare. The Applicant has committed to undertaking 1 point every 100m and in any field that is missed by the 100m spacing. The Applicant has further committed to a point every 50m where significant changes in soil type are identified during the surveys. In addition, the ALC and soil surveys that will be undertaken will include testing requirements that go over and above the standard set out within the MAFF ALC guidance. For example, the Applicant has included within the oSMP, the option for soil assessments on Grade 1 land following the AHDB Soil Health Scorecard Approach and Sampling Protocol for England and Wales, if requested by landowners, as detailed in Table 1 of the oSMP (REP4a-079) Therefore, the Applicant considers that by doing the ALC surveys later in the process it is ensured that the survey methodology will be suitably detailed and fit for purpose for this specific site and the relevant parties affected. The Applicant has committed to a peat management plan (PMP) should peat be identified during the ALC and soil surveys. The commitment within the oCoCP paragraph 103 [REP4-068] confirms that the PMP would include good practice guidance on excavation, reuse, storage, handling, reinstatement and monitoring and inspection. During the ALC and soil surveys should deep peat be identified as part of the ALC survey method the Applicant will undertake a low resolution peat probing survey at a density of 100x100m (in line with guidance). The survey data will inform the PMP and the plan will include appropriate best practice guidance available at the time of writing, should it be required. This commitment is included within the oCoCP (REP4a-076) paragraph 103, which also		approval has been given by the Secretary of State (SoS) in the absence of ALC surveys (Triton Knoll, Viking CCS Pipeline, Sheringham Shoal and Dudgeon and Hornsea Project 4), in which only the provisional mapping was used in the assessment. Furthermore, the Applicant's position is that there are significant advantages to the proposed scheduling of ALC surveys. Through the examination process, the Applicant has incorporated measures within the oSMP that exceed the ALC guidance for soil surveys. This ensures that the survey methodology will be suitably detailed and fit for purpose for this specific site and the relevant parties affected. According to MAFF guidance, laboratory testing on soils is not mandatory, as the visual assessment and hand texturing conducted during the survey are sufficient to determine soil textures and properties. By strategically timing the ALC and soil surveys, the Applicant has been able to incorporate additional surveying commitments within the oSMP, specifically addressing the concerns of TH Clements and Woodlands, thereby ensuring a more comprehensive and beneficial outcome for the landowners. Peat mapping may identify peat and peaty soils within the Order

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				confirms that the PMP would include good practice guidance on excavation, reuse, storage, handling, reinstatement and monitoring and inspection.		Limits. However, it is important to note that the land in question is subject to intensive agriculture, understood to be cereal cropping. The use of the land for intensive agriculture will disrupt and damage the natural structure of peat deposits. To make peaty soils suitable for agriculture, they are often drained. This drainage and cultivation of peat leads to a degradation and alters the structure. As set out in point 1 of this table the Applicant has committed with the oCOCP and oSMP to low resolution peat surveys and preparation of a peat management plan, should one be required.
37	H73, H76 & H13	Provide a firm commitment to decommission the site after 35 years (or sooner if no longer operational), to remove all infrastructure and equipment and to return the land to its original condition and ALC grade. As part of this there should be a commitment to prepare and submit to the LPA a decommissioning plan to restore the site prior to the end of its operational use, as set out by NPS EN3.	D1 – No Change D2 – No Change D3 – No Change D4- No Change. Natural England will consider the Applicant's response to Q2 GC 1.3 and response at Deadline 5	The Applicant has provided a response in Document 21.3 The Applicant's Comments on Deadline 4 Submissions, within Table 1.3.8.1 Appendix H5- Natural England's Comments on Soils.	D5- No Change. Natural England's advice remains for the Applicant to provide a firm commitment to decommission the site after 35 years (or sooner if no longer operational), to remove all infrastructure and equipment and to return the land to its original condition and ALC grade.	It is not clear to the Applicant why NE's position is unchanged from Deadline 4a. The Applicant's position is that whilst this matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact. Project infrastructure will be decommissioned in accordance with a decommissioning plan and best environmental practice at the time. The decommissioning plan will be submitted in accordance with Requirement 24 (Onshore decommissioning) of the DCO (Document 3.1, V10, submitted at Deadline 6) and will be agreed with statutory authorities at the time of decommissioning. The plan must be submitted for approval within

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						six months of cessation of commercial operations. Onshore, it is expected that cables would be left in-situ to avoid adverse effects on the environment and communities associated with the works needed to facilitate removal. The decommissioning process for the ECC has not been determined as industry best practices, rules and legislation may change over time. Decisions on future land use will need to consider any habitats or species that may establish during operation and any future protections. The decommissioning plan will review regulations and best practices at the time and propose appropriate methodologies to inform the duration of soil aftercare. Current best practice guidance from Defra (Construction Code of Practice for the Sustainable Use of Soils on Construction Sites, 2009) suggests aftercare between 1- and 5-years post construction. Should this guidance be relevant at the time of decommissioning it will be taken into account when deciding soil aftercare measures.
38	H74	Reconsider the criteria within Table 25.21. Natural England advises using a rating of Very High to rate receptor sensitivity for soils. This is to inform placement of permanent	D1 – No Change D2 – No Change D3 – No Change D4- D4 - No Change. In the absence of a detailed, site-specific soil and ALC survey and on the assumption that all	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- No change. Please refer to Deadline 5 Appendix H8 for our advice on the requirement for an ALC	Please refer to the response to point 36.

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		infrastructure on lower grade land. This requirement will need to be secured as mitigation measure within the DCO and/or Soil management plan.	mapped ALC Grade 3 land is BMV (i.e.Subgrade 3a), Natural England considers that it is impossible to provide an accurate baseline and demonstrate the likely potential impacts. Whilst this may make the mitigation precautionary, the project is unable to show how it avoids impacts to BMV soils nor the design of potential mitigation to safeguard the soil resources. Natural England advises using a rating of Very High to rate receptor sensitivity for soils to inform placement of permanent infrastructure on lower grade land, see our advice at Relevant Representations [RR-045]. This requirement will need to be secured as mitigation measure within the DCO and/or Soil Management Plan.		survey to provide an accurate baseline.	
39	H75 & H10	An ALC survey should be undertaken at the route of trench line for the underground cabling and the proposed substation location. Use the data to inform the soil handling and restoration plans and the SMP. Surveys should be conducted prior to consent being granted in line with NPS for Renewables Energy Infrastructure (EN-3).	D1 – No change. Please see our Deadline 1 Appendix H2 response. D2 – No Change D3 – No Change D4 - No Change. Please see Appendix H5 submitted at Deadline 4 for further comments, in addition to our previous advice at Deadline 1. Natural England advises that Soil testing is undertaken prior to construction and this commitment is secured within the Outline SMP.	The oSMP (REP4a-079) includes commitments regarding soil testing prior to construction. The commitments are included within Section 1.8 Pre and Post Construction Surveys, paragraphs: 4. Agricultural Land Classification (ALC) surveys (MAFF 1988) will be undertaken across the areas in which construction activities are proposed. Survey points will be least every 100m or in each field where the field is less than 100m in length, up to a depth of 1.2m. Where changes in soil type and / or depth are identified, an additional point will be surveyed at 50m, in order to provide more accuracy on where the change occurs. Where the lower subsoil horizon is not found during ALC testing the Soil Clerk of Works will be present during trench excavations to record any horizons lower than 1.2m.	D5- No change.	Please refer to the response to point 36.

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				5. Detailed descriptions of soils will be recorded following the Soil Field Handbook (Hodgson, J 1997). Resulting detailed soil descriptions will be used to define topsoil, upper subsoil, and lower subsoil (where present) horizons. Samples of topsoil, upper subsoil, and lower subsoil (where present) will be taken within each soil type for Particle Size Distribution (PSD) analysis, in order to calibrate and confirm hand texturing. 6. Using methodology defined within the ALC Guidance, the stoniness of soils will be assessed to inform the ALC grading and ensure that soils are restored to their stone free or equivalent state. ▪ Stone content will be recorded as a specific percentage rather than the percentage range as detailed within the ALC Guidance. ▪ Post condition soil surveys will use the same metric, so that a direct comparison can be made when comparing to a baseline survey and the land returned to its post works condition. ▪ Soil Clerk of Works will attend site and verify that the soil survey results are reflective of overall field parcel. Where discrepancies are noted, it may be necessary to undertake additional bulk sampling to verify and confirm stone percentages within a field parcel. 24. For Grade 1 land, in addition to Pre and Post Construction Soil Surveys described above, at the landowner's request, additional surveys will be conducted pre-construction, pre-restoration, and post-construction to assess soil health, condition and nutrient levels.		

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				25. If requested, Soil Assessment will be undertaken by a combination of visual assessment and laboratory analysis to UKAS accredited standards, following AHDB Soil Health Scorecard Approach and Sampling Protocol for England and Wales (AHDB, 2022).		
40	H78	The Applicant should commit to reviewing the use of surplus topsoil early in the process. A full understanding of the soil profile at donor and receptor sites is necessary. We advise that it is unlikely that the movement of Grade 1 soil will upgrade the recipient land.	D1 – No Change D2 – No Change D3 – No Change D4 - In Progress. Natural England notes and agrees with the assertion that where possible reuse is an acceptable and sustainable measure as detailed by the Applicants Response to Relevant Representations [PD1-071]. However, Natural England's position and advice remains that permanent loss cannot be mitigated for.	The Applicant acknowledges Natural England's agreement that the possible reuse of topsoil is an acceptable and sustainable measure as described in PD1-071. It is important to clarify that the applicant although proposing the reuse of topsoil where possible has not implied that this would mitigate for the permanent loss of agricultural land associated with project infrastructure. To that extent, the applicant agrees with Natural England that permanent loss of agricultural land cannot be mitigated. This is fully acknowledged by the impact assessment set out in Chapter 25: Land Use, which concludes a major adverse significant effect on agricultural land at the local scale. It is important however to note that the assessment goes on to consider the loss of agricultural land within both the regional and national context, demonstrating that the total loss of agricultural land associated with the project (36.48 hectares) is equivalent to just 0.003% of the available agricultural land in the East Midlands region and 0.0004 % available nationally. It is argued that the impact of the project on this finite resource in the context on the land available is not significant. This should be considered in the context of the need to deliver secure renewable energy and governments 2030 and Net Zero (2050) Targets.	D5- No Change.	It is not clear to the Applicant why NE's position is unchanged from Deadline 4a. The Applicant's position is that whilst this matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact. It is important to note that a nationally significant infrastructure project (NSIP) using the Rochdale Envelope approach involves a flexible design framework, particularly early in the process. This flexibility means that specific details about the project's final design, including precise locations and extents of soil disturbance, are not confirmed until detailed design stages, which are typically post consent. The Applicant has committed to reviewing and considering the use of surplus soils within the outline management plans. The outline soil management plan (oSMP document reference 8.1.3, V7, submitted at Deadline 6) submitted by the Applicant will be further refined into a final soil management plan and location specific method statements which will include detailed soil

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						information, volumes and mitigation measures based on the ALC surveys. The Applicant will not have the level of detail it needs to inform the final management plans until the detailed design stage. It is argued that it would be premature to undertake a review of surplus soil prior to the detailed design stage on the basis that the detailed construction programme and soil volume balance will not be known until then. To do so at an earlier stage risks producing potentially inaccurate results.
41	H79	The ALC system is a national system, therefore the significance should also be determined in the national context. However cumulative impacts should consider all development that will result in or could lead to a loss of 20ha BMV soils.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England advises the inclusion of an assessment at the national scale.	The Applicant has submitted information which we hope will allow this Issue to now be agreed. This includes its comments on Natural England's Risk and Issues, Log submitted at Deadline 4 and the Applicants response to actions from ISH3, to undertake an assessment of regional and national impacts as was undertaken for the Rampion 2 application (PP1-ODOW-DEV-CS-REP-0268 - 21.12 BMV Quantitative Cumulative Assessment). We await feedback from Natural England to confirm agreement on this Issue	D5- Issue progressed. Please refer to Deadline 5 Appendix H8. Natural England is supportive of the provision of a cumulative assessment for loss of BMV soils [REP4-117 and REP4a-060] as updated and referenced in REP4a-020 and have no further comments; the issue remains in relation to the provision of the ALC surveys	The issue of BMV cumulative assessment is resolved and on this basis it is considered that the RAG status can be changed to Green at Deadline 6. On the issue of timings of the ALC surveys please refer to the response to point 36.
42	H80	Provide further justification as to why agricultural productivity should not be assessed cumulatively for each project phase.	D1 – No Change D2 – No Change D3 – No Change D4 - No change. Natural England requires further justification on this matter in order to resolve this issue. Natural England refer the ExA to NPS EN3 which notes at para2.10.145 'The Secretary of State should take into	*The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position.* To date, the applicant has undertaken an assessment of impacts on agricultural land for each phase of the project (construction, operation / maintenance) as presented in Chapter 25: Land Use (AS1-050) and an assessment of the associated	D5- No change	It is not clear to the Applicant why NE's position is unchanged from Deadline 4a. The Applicant's position is that whilst this matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact.

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			account the economic and other benefits of the best and most versatile agricultural land. The Secretary of State should ensure that the applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources'	economic impacts resulting from the impacts on agricultural land in Chapter 29: Socio-economic Characteristics (APP-084). Although the land use chapter concludes a significant adverse effect on agricultural land on the local scale, the BMV Quantitative Cumulative Assessment undertaken following ISH3 demonstrates that the effects on a regional and national scale are not significant. The assessment of economic impacts also demonstrates that the loss of agricultural land will not result in significant economic effects The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.		The Applicant believes it has provided sufficient information into the Examination to date which justifies its position. In addition to the assessment within the Land Use (document reference 6.1.25, V4, submitted at Deadline 6) and Socio-economic Characteristics (REP4a-027) chapters, the BMV Quantitative Cumulative Assessment (REP4-117) demonstrates that the effects on a regional and national scale are not significant. The assessment of economic impacts also demonstrates that the loss of agricultural land will not result in significant economic effects. In respect of EN-3 the Applicant has put forward appropriate mitigation measures to minimise impacts on soils or soil resources.
43	H81	The Planning Inspectorate's advice note 17 should be considered alongside the IEMA guidelines "A New Perspective on Land and Soils in EIA" (February 2022) methodology for cumulative effects and the application updated accordingly.	D1 – No Change D2 – No Change D3 – No Change D4 - Issue Progressed. While we consider this issue to be resolved we are seeking confirmation and will provide confirmation at Deadline 5.	The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.	D5- Resolved	Resolved
44	H82	There are significant gaps in the figures presented in Para 6.1.25 [APP-080] and Table 25.27. The Applicant should ensures all other projects in the area are considered for cumulative BMV loss.	D1 – No change D2 – No change D3 – No change D4 - No change. Natural England continues to advise that all other projects in the area are considered for cumulative BMV loss. To resolve this issue IEMA provides a comprehensive list pp174 of what should be included. This list is not exhaustive but it	The Applicant has updated the Land Use Chapter (REP4a-019) submitted at Deadline 4A to consider additional information now available in respect of cumulative effects.	D5- Issue progressed. Please refer to Deadline 5 Appendix H8. Natural Egland is supportive of the provision of a cumulative assessment for loss of BMV soils [REP4-117 and REP4a-060] as updated and referenced in REP4a-020	The Applicant notes that this issue has been resolved.

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			extends beyond simply listing other NSIP proposals		and have no further comments; the issue remains in relation to the provision of the ALC surveys	
45	H83 & H12	All agreed measures in the Outline SMP [APP-271] should be secured by appropriate requirement within the DCO via the SMP.	D1 – Issue progressed. In our Deadline 2 DCO update, Natural England will confirm the Outline SMP is secured within the DCO. D2 – No change. D3 – Issue progressed. See advice within Section 7 of the Deadline 3 covering letter to our outstanding concerns with the SMP as secured within the DCO. D4 - As advised in our D3 cover letter, Natural England acknowledges the new requirement as part of Schedule 1 Part 3 Requirement 31 [REP2-009], which requires submission of a SMP, which must accord with the Outline SMP. To resolve the issue, Natural England requests the requirement is amended to include a condition to consult the relevant SNCB, as it does not stipulate that the relevant Local Planning Authority (LPA) should consult the relevant SNCB on the submitted document prior to its approval.	The Applicant included the requested changes in submissions at Deadline 4. The Draft Development Consent Order [REP4-009], Requirement 31 states: "**Soil management plan** 31.—(1) No stage of the onshore transmission works may commence until a soil management plan (which must accord with the outline soil management plan) for that stage has been submitted to and approved by the relevant planning authority in consultation with Lincolnshire County Council, the relevant statutory nature conservation body and the Environment Agency. (2) (2) The soil management plan must be implemented as approved."	Issue progressed. Natural England welcomes the update within the DCO [REP4-007] for the relevant planning authority to consult the Relevant SNCB on the SMP. To resolve this issue Natural England requires the SMP to also stipulate the relevant SNCB will be consulted.	The oSMP (document reference 8.1.3, V7, submitted at Deadline 6) has been updated at DL6 to include stipulate that the relevant SNCB will be consulted. On this basis it is considered that the RAG status can be changed to Green at Deadline 6.
46	H84 & H10	There should also be a commitment for BMV agricultural land temporarily required for the development to be returned to its original ALC grade. This includes areas such as field scale ecological mitigation areas and borrow pits where reinstatement to the physical characteristics of 'best and most	D1 – No change D2 – No change D3 – No change D4 - No change. Natural England's advice remains that a detailed ALC and soil survey of agricultural land should be undertaken to inform the ES and EIA. This will inform soil restoration.	Section 1.26: Reinstatement, of the updated Outline Soil Management Plan (REP4a-079) submitted into examination at Deadline 4, which is secured by DCO requirement 31, commits to returning the land to its baseline agricultural land classification. The Applicant has committed to pre-commencement soil surveys following the ALC system MAFF (1988) guidelines as well as performing nutrient analysis so that soils are reinstated to their previous conditions post-	D5- No change. Please refer to our advice in Appendix H8. .	On the issue of timings of the ALC surveys please refer to the response in point 36.

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		versatile' quality may also be required.		construction. The Applicant has committed to going above the standard survey point spacing identified in the guidance by committing to survey points at least every 100m or in each field where the field is less than 100m in length. Where significant changes are identified, an additional point will be surveyed at 50m, in order to provide more accuracy on where the change occurs. This will be supported by pits dug in each main soil types to confirm the physical characteristics of the soil resource. Land will be restored to its pre-development quality as far as is reasonably practicable and will primarily be achieved by ensuring that the full soil profile is reinstated in the correct sequence of horizons, and in a state where good soil profile drainage and plant root development are achieved; and by ensuring that the reinstatement works cause minimum damage to soil structure. Measures are secured within the outline Soil Management Plan (document reference 8.1.3 v4) paragraphs 92-93 and 101 - 103 which has been updated during the examination process. The consequence of this, for the purpose of satisfying the tests in NPS EN-5 paragraph 2.9.25 as it relates to mitigating effects on ALC grade land, is that the land will be returned to its baseline agricultural land classification.		
47	H85	Given the very high quality of the land soil handling should include supervision by a competent soil specialist. This should be secured in the OLEMS and SMP [APP-271].	D1 – No further advice provided on this issue.	The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.		Resolved
48	H86 & H11	Construction work should be avoided during October to March inclusive. A field suitable method for assessing whether soils are in a dry and friable condition based on plastic limits is set out in Part	D1 – No change D2 – No change D3 – No change D4 - Resolved. NE acknowledges and welcomes the Applicants reference to the Institute of Quarrying's Good	The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.		Resolved

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		One (Explanatory Note 4 – Table 4.2] of the Institute of Quarrying's Good Practice Guide for Handling Soils in Mineral Working. This approach together with the associated rainfall protocols should be adopted and noted within the SMP [APP-271].	Practice Guide for Handling Soils in Mineral Working within the SMP [APP-271].			
49	H89 & H12	Machinery to be used should accord with best practice as set out in the Code of Construction Practice for the Sustainable Use of Soils on Construction Sites (DEFRA, 2009) and be outlined for a full assessment of impacts within the Outline SMP [APP-271].	D1 – No change D2 – No change D3 – No change D4 - Issue Progressed. While we consider this issue to be resolved we are seeking confirmation and will provide confirmation at Deadline 5.	The Applicant is pleased to see that NE consider the issue to be resolved and will await NE's confirmation at DL5.		Resolved
50	H90 & H12	The details of soil handling should be included within a Restoration Plan, accompanied by a detailed soil balance. The Outline SMP [APP-271] should note that topsoil and subsoil are to be stored separately	D1 – No change D2 – No change D3 – No change D4 - In Progress. The Applicant has addressed soil separation in the Outline SMP [APP-271], however no Restoration Plan has been received accompanied by a detailed soil balance.	The Applicant's position remains the same as at Deadline 4. At this stage, prior to detailed design and completion of the soil surveys that will be used to inform the final soil management plan, it is not possible to produce a detailed soil balance. The oSMP (REP4a-079) commits in paragraph 93 that "soil reinstatement methods 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.". Restoration is covered in the reinstatement section 1.26 of the oSMP.	D5- No change. Natural England requires sight of a Restoration Plan accompanied by a detailed soil balance for review.	It is not clear to the applicant why NE's position is unchanged from Deadline 4a. The Applicant's position is that whilst this matter has not been agreed, but discussions have been concluded and it is considered that it does not have a material impact. It is important to note that a nationally significant infrastructure project (NSIP) using the Rochdale Envelope approach involves a flexible design framework, particularly early in the process. This flexibility means that specific details about the project's final design, including precise locations and extents of soil disturbance, are not confirmed until detailed design stages, which are typically post consent. The Applicant has committed to reviewing and considering the use

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						of surplus soils within the outline management plans. The outline soil management plan (document reference 8.1.3, V7, submitted at Deadline 6) submitted by the Applicant will be further refined into a final soil management plan and location specific method statements which will include detailed soil information, volumes and mitigation measures based on the ALC surveys. The Applicant will not have the level of detail it needs to inform the final management plans until the detailed design stage. A soil balance exercise cannot be effectively developed prior to the detailed design phase because the necessary construction information required to inform the soil volume balance is not yet available. Detailed design provides critical data on excavation depths, cut-and-fill volumes, and the specific locations of construction activities, all of which are essential for accurately assessing soil resources. Without this information, any soil volume balance calculations would be indicative and potentially inaccurate, leading to less effective soil management strategies. Therefore, it is crucial to wait until the detailed design phase to ensure the soil management plan and location specific method statement is based on precise and comprehensive construction data.

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						The final Soil Management Plan will be submitted as secured under Requirement 18 and will include details on the restoration of land impacted. Natural England will be consulted as the relevant SNCB.
51	H91 & H12	A commitment should be added to the SMP [APP-271] avoid mowing and stripping in wet conditions.	D1 – No change D2 – No change D3 – No change D4 - No change. Natural England continues to advise that mowing and stripping should be avoided in wet conditions. The commitment to avoid should be secured in the OSMP [APP-271]. Please see the Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites for guidance: https://assets.publishing.service.gov.uk/media/5b2264ff40f0b634cfb50650/pb13298-code-of-practice-090910.pdf	Section 1.19 of the oSMP includes measures for handling soils in the event of adverse weather. Measures are derived from Defra Construction Code of Practice for the Sustainable Use of Soils on Construction Sites and Institute of Quarrying's Good practice guide for handling soils. Section 1.19 reads as follows: **Adverse Weather** 53. During certain weather conditions soil handling and movements must be effectively managed to reduce the risk of degradation and damage. Soil handling during adverse weather will adhere to the following criteria: ▪ During wet periods, mechanised soil handling in areas where soils are highly vulnerable to compaction will be limited as far as practicable; ▪ If there is heavy and/or consistent rainfall (e.g., heavy showers or slow-moving depressions), the suspension of soil operations must be considered; ▪ If sustained heavy rainfall (e.g., >10mm in 24 hours) occurs, soil handling operations must be suspended. Soil operations must not restart until the ground has had at least one full dry day or an agreed moisture criteria of the soil can be met (such as 'drier than the plastic limit') as advised by the SCoW; ▪ The working area should be protected against water ponding and inflow of water; and ▪ Additionally, soil should not be handled or trafficked when the ground is frozen or covered by snow.	D5- No change. Natural England advises to resolve this issue there should be a commitment to avoid mowing and stripping in wet conditions.	The oSMP (document reference 8.3.1, V&, submitted at Deadline 6) has been updated at DL6 to include a commitment to avoid mowing and stripping in wet conditions. On this basis it is considered that the RAG status can be changed to Green at Deadline 6.

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				54. When a rainfall event forces the suspension of soil handling operations, the soil profile within the active strip should be stripped to the basal layer (i.e., measured topsoil depth) before cessation of works. New active strip areas should not be started. 55. Before soil handling operations recommence, the weather forecast should be checked and works only recommenced if no further heavy rain is forecast during a period which would require stoppage part way through the stripping of an area. Soil moisture must be tested prior to recommencing to determine the appropriate methodology for handling. The current guidance does not specify any restrictions against mowing in wet conditions. However, as previously advised at the point the relevant responsible parties are appointed, the final SMP will be produced which will include further details with regards to vegetation management in wet conditions.		
52	H92 & H12	The Outline SMP [APP-271] should include a measure to ensure the depth of decompaction reflects the depth of compaction and reference the guidance used. Where compaction is likely to take place further consideration should be given to providing a decompaction strategy to maximise the effectiveness of decompaction methods.	D1 – No change D2 – No change D3 – No change D4 - In progress. Natural England welcomes the additional information provided in REP3-021, however to resolve the issue Natural England requires clarification from the Applicant on the duration of soil after care that will be conducted during the post-decommissioning phase of the project. Please refer to Appendix H5 as part of Natural England's Deadline 4 submission for further information.	See response in The Applicant's Comments on Deadline 4 Submissions Appendix H5 - Natural England's Comments on Soils (REP4a-115)	D5- No change. Our advice provide at Deadline 4 remains.	Please see the response to point 37 regarding the Applicant's post-decommissioning plans, which also applies to the issue of soil aftercare.
53	H93 & H12	Further information on the parameters to be used for restoration specifications of soil profiles should be provided.	D1 – No change D2 – No change D3 – No change	See response provided in Point 36.	D5- No change. Please refer to advice in Appendix H8. Natural England's advice remains	Please see the response in point 36 regarding ALC surveys.

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		Details should include the target soil profiles to be reinstated and their pre development ALC grade where appropriate as determined by detailed ALC survey.	D4 - No change. Natural Englands advice remains that ALC surveys are required to inform this issue.		that ALC surveys are required to inform this issue.	
54	H94	For any ancient or veteran trees impacted by the Project, Natural England's standing advice should be referred to and commitments to mitigate impacts included within the OLEMS.	D1 – No change. D2 – No change. D3 – No change. D4 - Resolved. The commitment has been secured in the OLEMS (v3) [REP3-028]	The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.		Resolved.
55	H96	Natural England advises the Public Access management Plan (PAMP) is secured by an appropriate requirement within the DCO, with an Outline PAMP provided into examination.	D1 – No change. Natural England advises this plan is secured within the DCO. D2 – No change. D3 – No change D4 - Resolved. Natural England notes that a PAMP [PD1-062] has been submitted into examination.	The Applicant has noted Natural England's response at Deadline 4 and that this item has been resolved.		Resolved
56	New Issue D1	Ensure all designated sites are included within the Land Quality Assessment [AS1-059], and inform the HRA, where required.	D1 – Please see our Deadline 1 Appendix H1 response D2 – No Change D3 – No Change D4 – No Change	The Applicant has updated the Preliminary land Quality Assessment Table 23.3 (REP4a-056) to include a full list of designated statutory and non-statutory sites.	D5- Issue resolved. Designated sites are mapped Figure 23.1.3.1 within 6.3.23.1 Chapter 23 Appendix 1 Preliminary Land Quality Risk Assessment which shows all designated sites considered with the Preliminary Land Quality Risk Assessment (AS1-059). And all sites are discussed in the RIAA.	Resolved

Point	Ref from Appendix H [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix H - Onshore Ecology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
57	New Issue D3	All noise sensitive designated features of impacted SSSIs, SPAs, SACs, Ramsar sites and associated FLL should be clearly identified and their supporting habitats located for monitoring.	D3 – See our advice in Appendix H2. D4 - No change. Natural England refers the ExA to our advice in Appendix H2 submitted at Deadline 3.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- Issue Resolved as discussed in Points 14 and 15 above.	Further to the above it is considered that all ecological sensitive receptors and FFL have been appropriately assessed in ES Chapter 26 (REP4a-021) and Chapter 22 (APP-077)
58	New Issue D4	8.10 Outline Landscape & Ecological Management Strategy V4_with Annex A7 (Tracked) [REP3-028] Section 3.4.4 added to include Biodiversity Awareness Training, Induction Packs and Tool Box Talks. We advise local designated sites, their designated features and any functionally linked land are included in these to ensure their importance is understood and action to avoid and mitigate impacts to protect these ecological assets from construction are taken.	D4 - Please refer to Natural England's cover letter submitted at Deadline 4.	The OLEMS has been updated at Deadline 4A (REP4a-083) to ensure local designated sites, their designated features and any functionally linked land are included topics within Tool Box Talks.	D5- Issue resolved. REP4a-086 and has been updated to include designated sites and functionally linked land within the Biodiversity Awareness Training.	Resolved.
59	New Issue D4	Outline Code of Construction Practice doc ref 8.1 Rev 4.0 - Para 110 - Natural England welcome the changes to Agricultural Drainage and Irrigation. - Even in uncompacted situations it can take between 1 and 3 years for the soil structure to stabilise and provide the necessary drainage and aeration for plant roots and the soil's fauna and flora to function properly. Refer to 6.4 para 2 of Construction Code of Practice for the Sustainable Use of Soils on Construction Sites	D4 - Natural England draws the ExA attention to the 'Construction Code of Practice for the Sustainable Use of Soils on Construction Sites' - The Applicant has not provided information regarding the duration of soil aftercare for post construction and post decommissioning of the project. Please see Appendix H5 submitted at Deadline 4.	See response in The Applicant's Comments on Deadline 4 Submissions Appendix H5 - Natural England's Comments on Soils (REP4a-115)	D5- No change to our advice provided at Deadline 4.	Please see the response to point 37 regarding the Applicant's post-decommissioning plans, which also applies to the issue of soil aftercare.
60	New Issue D4	Clarification Note: Land Take, Soil calculation and Storage Bunds [REP3-056] Paragraph 1.4 - It is	D4 - Natural England advises that soil stripping depths should be clearly set out, reflecting the soil horizon depths	See response in The Applicant's Comments on Deadline 4 Submissions Appendix H5 - Natural England's Comments on Soils (REP4a-115)	D5- No change to our advice provided at Deadline 4.	The Applicant's position is that whilst this matter has not been agreed, but discussions have been

Point	Ref from Appendix H [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix H - Onshore Ecology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
		unclear what depth of lower subsoil will be excavated	identified from the detailed soil surveys. Our advice remains that ALC surveys should be conducted to inform this. Please see Appendix H5 submitted at Deadline 4.			concluded and it is considered that it does not have a material impact. It is important to note that a nationally significant infrastructure project (NSIP) using the Rochdale Envelope approach involves a flexible design framework, particularly early in the process. This flexibility means that specific details about the project's final design, including precise locations and extents of soil disturbance, are not confirmed until detailed design stages, which are typically post consent. The Applicant has committed to providing soil stripping depths in the final SMP. The outline soil management plan (oSMP document reference 8.1.3, V7, submitted at Deadline 6) submitted by the Applicant will be further refined into a final soil management plan(s) which will include detailed information on soil horizons, depths and volumes based on the ALC and soil surveys. As set out within Section 1.8 of the oSMP the Applicant has committed to ALC and soil surveys post consent across the areas in which construction activities are proposed. The Applicant will not have the level of detail it needs to finalise soil stripping depths until the detailed design stage. The depths of the soil profiles including lower

Point	Ref from Appendix H [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix H - Onshore Ecology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
						subsoil, if present, across the length of the route may differ. The location-specific construction method statements will also detail the soil stripping depths across each 'location'. 'Locations' will be determined by the contractor and/or the Soils Specialist depending upon factors such as (but not limited to) the works to be undertaken, the machinery to be used, soil types and results of any additional survey works, and site constraints (for example, depth to water table, or ecological constraints), as set out in the oSMP. Please see the response to point 36 regarding ALC survey timing.

1.9 I Onshore Ornithology

Table 1.9.1 The Applicant's Current position on Risk and Issues matters – Onshore Ornithology

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
1	I7, I15 & I1	The Applicant should present the review and analysis of two complete years of survey data within their conclusions before Natural England can form a position on the proposed impacts of the development.	D1 - Issue resolved within AS1-108 Response to S51 advice - 13.2 Addendum wintering bird survey 2023/24. Please see our Deadline 1 Appendix I1.	Issue resolved.		Issue resolved.
2	I8, I9 & I2	Much greater detail of data and discussion on potential cropping management practices should be	Issue resolved within PD1-093 15.11 Additional clarifications relating to Natural England's	Issue resolved.		Issue resolved.

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
		presented for functionally linked land (FLL) including temporal and spatial extent of cropping patterns of every arable field where foraging range of species of interest overlap with the order limits and suitable buffer.	Relevant Representations (Appendix I Onshore Ornithology). Please see our Deadline 1 Appendix I1.			
3	I10 & I11	The method for assessing potential noise disturbance responses of designated species focuses on minimum compliance thresholds rather than specific species disturbance responses. The Applicant has not assessed whether land already established as functionally linked for designated overwintering bird species would also be within the decibel levels exceedance threshold. The Applicant should assess the disturbance response of each designated bird species specifically. Please see Tab H for our advice.	D1 - No change. Cross reference to Tab H for any update. D2 – No change. D3 - No change. Please see Appendix H2 for advice regarding noise. D4- No change. Natural England refers the Applicant to 'Appendix H2 - Natural England's Advice on Onshore Ecology - Noise and Vibration Management Plan [REP2-032]' submitted at Deadline 3 for advice.	For the reasons set out in the column titled 'The Applicant's Deadline 4 position', sufficient clarification has been provided to allow this issue to be resolved. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	D5- Issue resolved. Please see our advice in appendix H7. Please refer to advice in Tab H Points 9 to 13. The use of the 55dB LAeq,1hr threshold to derive a set back distance is acceptable for the proposes of this project and bird features of the identified designated sites.	Issue resolved. Please refer to the Applicant's response to Point 6 in Appendix H7 (document reference 24.2, V1, submitted at Deadline 6) which addresses the single unresolved issue regarding noise disturbance mitigation.
4	I13	Further evidence is required to demonstrate that trenchless crossing would be successful in each of the proposed locations. And, where sufficient confidence in the success of the measures cannot be established, alternative mitigation measures are presented.	D1 - No change. Natural England notes the Applicants response in [PD1-107]. No commitment has been made by the Applicant to seek alternative mitigation if trenchless techniques are not appropriate. D2 – No change. D3 – No change. D4 - No change. No commitment has been made by the Applicant to seek alternative mitigation if trenchless techniques are not appropriate. We advise the Applicant considers this matter further.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's position. The Applicant will provide further information post consent within the final CoCP once detailed design has been carried out. The CoCP is secured under Requirement 18 of the draft DCO (REP4a-008) to which Natural England as the relevant SNCB have been included as consultee.	D5- Natural England notes the Applicant's response to our D3 R&I log [REP4-113]. Our advice remains unchanged in relation to outstanding environmental risks. And in addition, we highlight that unless the alternative mitigation achieves the same outcome as trenchless technique assessed an updated EIA will be required.	The Applicant wishes to clarify that no activities will be carried out outwith the parameters that have been assessed within the EIA as set out in the Environmental Statement.. If investigations carried out during the detailed design stage demonstrate that the preferred method (such as HDD) would not work other trenchless methods as accounted for in the design envelope would be considered.
5	I14 & I3	A separate outline overwintering Annex I bird species mitigation management plan (including pink-	D1 - No change. D2 – No change.	The Applicant discussed with Natural England their request for additional mitigation for pink-footed goose at a	D5-	The Applicant has addressed each of Natural England's points in relation to pink-footed goose

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Deadline Actions, Consultations, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
		footed geese) document should be submitted for examination to be agreed upon as part of the consent and secured within the DCO. This should include additional information on the project's current mitigation strategy as well as further measures to mitigate impacts on Annex I bird species using functionally linked land.	D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the Applicant to our advice in Appendix I2 submitted at Deadline 3. Natural England continues to advise that the Applicant should submit an outline overwintering Annex I bird species mitigation management plan (including pink-footed geese).	meeting on 20 February 2025. Additional mitigation for other Annex I species was not raised at the meeting. Following that meeting, additional mitigation for pink-footed goose utilising potential functionally linked land has been included in the OLEMS (REP4a-083). With the incorporation of that additional mitigation, it is considered that this point has now been resolved.	Issue progressed. Please refer to our detailed advice in Appendix I3. Natural England welcomes the Applicant's inclusion of additional mitigation measures. We expect to be in agreement with the Applicant by the end of examination providing our outstanding concerns as detailed in Appendix I3 are addressed.	within Appendix I3 therefore this point can be resolved at Deadline 6. Please refer to The Applicant's comments on Deadline 5 Submissions (document reference 24.2, V1, submitted at Deadline 6) for details.
6	I16 & I5	The proposal for minimising temporary loss of functionally linked land through reinstatement of topsoil and cover crop requires further detail. Greater detail should be provided on reinstatement methods employed to mitigate temporary loss of land functionally linked to designated sites.	D1 - No change. Natural England notes the Applicants response in [PD1-107] D2 – No change. D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the ExA to our advice in Appendix I2 submitted at Deadline 3. Natural England advises further detail is presented on reinstatement methods to mitigate temporary loss of land functionally linked to designated sites.	As detailed in the outline Soil Management Plan, the applicant has committed to re-instating all soils that are subject to a temporary impact, to their pre-construction state. The exact methods of reinstatement will be agreed with the appropriate stakeholders and provided in the Soil Management plan prior to the commencement of construction. Details of the exact methods of reinstatement cannot be provided at this time, as they depend upon the determined construction methodology, which will not be established until the detailed design stage through an appointed construction contractor.	D5- Issue progressed.	Further to the Applicant's previous position as stated at Deadline 4a, paragraph 93 of the outline Soil Management Plan confirms that the principle of partial reinstatement will be considered where practicable. This could enable continuation of cropping rotation or establishment of a cover crop. Further details on the exact methods of reinstatement will be provided in the final SMP produced following detailed design, which is secured under Requirement 18. Natural England is the relevant SNCB in respect of Requirement 18 and will be consulted in respect of its discharge.
7	I17, I1 & I3	Natural England is currently unable to provide our position on the impact assessment conclusion of No AEoI for the impacts of temporary habitat loss and disturbance to land functionally linked to designated populations of pink-footed geese. Two years of overwintering bird survey data are	D1 – Progressed. Whilst the 2nd year of bird data has been provided Natural England has identified risks which require further mitigation. Please see our Deadline 1 Appendix I1 response. D2 – No change. D3 - No change. Please see our advice in Appendix I2.	(*in relation to Habitat Regulation Assessment (H47-H49). This includes the additional information requested by Natural England in relation to crop preferences in 13.2 Addendum Winter Bird Survey 2023-2024 (AS1-108) and crop availability and rotation in Additional Clarifications Relating to Natural England's Relevant Representations (Appendix I) (PD1-093). This shows that the*	D5- Issue progressed. Please refer to our detailed advice in Appendix I3. Natural England welcomes the additional data and mitigation measures for PFG, and is working with the Applicant to consider further mitigation measures for other Annex I features.	Please refer to the Applicant's response to Point 5. It is considered that this point has now been resolved in relation to pink-footed goose, which is the subject of the original written representation point. NE's comment at D5 referring to further mitigation measures for

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
		required to provide a robust baseline against which to assess project impacts. The Applicant should adopt suitable measures to reduce their impact and mitigations measures secured within a separate specific Annex I bird species mitigation management plan submitted into examination.	D4 - No change. Natural England refers the Applicant to our advice in Appendix I2 submitted at Deadline 3. Natural England also awaits the response from the Applicant to the Examining Authorities second set of Written Questions Q2 HRA 1.1 with regard to this matter .	*most common crop types utilised by the five key qualifying species were found to be bare/ploughed land, cereal crops, grass and stubble (fallow land). PD1-093 evidences that these crops are common and widespread within the Order Limits plus 400m buffer, which is reflected in the widespread distribution of pink-footed goose, lapwing, golden plover and curlew. Therefore, the mitigation set out in the EIA and RIAA specifically regarding a localised working restriction is sufficient, as it means that alternative foraging resource will remain available".* *The Applicant's comments on Deadline 3 submissions – Natural England Appendix I2* (REP4-108), Reference I1 paragraph 2, has been stated in relation to Point 5 above. In addition, the RIAA has been updated at Deadline 4 to include the second winter season survey results.		other Annex I features is the subject of other points, specifically 12-16 and 18. Please refer to the Applicant's current position in relation to Point 12 which summarises how that has been addressed and that the further measures requested by Natural England have now been incorporated into the OLEMS, and therefore this point can be resolved at Deadline 6.
8	I18	The proposed additional mitigation measures to reduce the potential noise disturbance at the landfall construction of the noise bund suggests construction of the mitigation in March, August, or September. Natural England advises that March is also avoided as this month overlaps with known presence of designated passage and overwintering bird species.	D1 – Natural England will provide further advice on updated Schedule of mitigation and AS1-096 at Deadline 2. D2 – No Change. We will provide further advice at Deadline 3 to take into account any changes in project design parameters. D3 – Issue Progressed. See Appendix I2. Natural England notes from the Schedule of Mitigation update [PD1-058/059] that construction of the landfall noise bund will be limited to the months of August and September between the breeding and non-breeding bird seasons. For this issue to be resolved, this commitment must also be reflected in the OLEMS, as it currently states creation of the bund may also take place in March.	The soft start planned for March at the landfall site, the Applicant is proposing the following activities, which include but are not limited to: • Machinery and personnel access to the landfall area will be from routes that do not require additional vehicles to the Roman bank road that runs alongside the reserve. (Note: this does not exclude the use of the Roman Bank north of the reserve site, and traffic will be in line with the final construction traffic management plan). • Establishing welfare facilities for the landfall berm works. This works area is located more than 300 meters from the western boundary of the bird sanctuary. This will involve earth stripping and the placement of aggregate. The welfare location will	D5 – Issue Resolved: Please see Deadline 5 Appendix I3 Natural England welcomes the commitment within the OLEMS [REP4a-084] to avoid the month of March. The detail of the soft start works if also welcomed and agreed. However, we advise that further efforts should be made in the final OLEMS to exhaust all options designed to minimise disturbance from these activities. In addition, commitments to using an ECoW to advise on potential risks to aggregations of birds from activities and implementation of further measures if bird disturbance behaviours are shown.	Resolved

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Consultations, Progressions and RAG	Deadline Actions,	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
			D4 - In Progress. While Natural England notes that OLEM version 3 [REP3-028] provides commitments that the bund will not be constructed in March. However, we note that preparation works proposed for March are likely to be noisy and disturbing to birds. It is not clear from the OLEM if the prep. works will occur after the bund is in place or what mitigation measures will be used to minimise disturbance at land fall if it is not.		house the majority of the soft works equipment and personnel for the duration. • Installation of the works area boundary fence around the landfall works area. This may likely use a Heras-type fencing system that is secured with embedded stakes for stability. • Preparing the ground locally, flume, and placing stone for the access road from the Roman Bank to the landfall field. • Conducting ongoing ecological monitoring of the area in preparation for the main works scheduled for August/September. • This has been added to the OLEMS (REP4-108) and Schedule of Mitigation. With the limitation on the scope of works to be undertaken in March, it is considered that this issue can be resolved.		
9	I19	The Applicant should ensure that two years of characterisation survey data are used at the time of consent to ensure the greatest likelihood of preferred brent geese habitat within the ECC are under mitigation measures. A pre-construction survey should be undertaken to ensure that the mitigation measures remain fit for purpose. This should be secured in the In Principle Monitoring Plan.	D1 – Progressed. Please see our Deadline 1 response Appendix I1. Natural England welcomes the additional mitigation measures for dark-bellied brent geese. However, Natural England's advises further comments are made. D2 – No change. D3 – No change. Please see our advice in Appendix H2. D4 - No change. Natural England refers the ExA to our advice in Appendix H2 submitted at Deadline 3. Natural England continues to advise that the Applicant should commit to pre construction surveys and these	The Applicant commits to a pre-construction survey for brent geese around The Haven crossing area to ensure that the proposed mitigation remains appropriate. The In Principle Monitoring Plan [APP-276] relates to offshore only and therefore the commitment is secured within the OLEMS [version 6, deadline 4a]. With the additional information provided at Deadline 4 and the additional commitment within the OLEMS to a pre-construction survey, this issue can now be resolved.	D5- Issue resolved. Please refer to Deadline 5 Appendix I3. We welcome the 2 years of survey data. Natural England welcomes the additional mitigation measures for dark-bellied brent geese. We welcome the commitment to a pre-construction survey is secured within the Schedule of mitigation [REP4a-144] and OLEMS [REP4a-084] to ensure mitigation remains are fit for purpose. See outstanding concern in Point 11.	Resolved

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Deadline Consultations, Progressions and RAG Actions,	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
			should be secured within the In Principle Monitoring Plan [APP-276].			
10	I20	In light of the comments above on mitigation, please amend the 8.13 Schedule of Mitigation [APP-287] document to address our advice.	D1 - No change. A DCO update will be provided at Deadline 2. D2 – No change D3 – No change. Issue progressed. See response to item 8 above and Appendix I2. D4 - In Progress. Natural England notes that the OLEMS [REP3-028] and the Schedule of Mitigation [REP2-039] are not aligned. We advise that once in consistencies are addressed then this is readily resolvable	The Applicant considers that the amended documents submitted at Deadline 4 resolve this issue. Specifically, the Schedule of Mitigation was amended at Deadline 4 to align with the OLEMS and the inconsistencies have therefore been rectified.	D5- Issue Resolved. Natural England notes the Schedule of mitigation and OLEMS are aligned with the mitigation proposed at this juncture. See Point 17 where we wish to ensure all mitigation is appropriately incorporated within the Applicant's RIAA.	Resolved.
11	I21	Further site specific evidence on suitable alternative foraging habitat for dark bellied brent geese should be presented to corroborate the conclusions of No AEOI. The reassessment of the pink-footed geese impact pathway by utilising two years of data is required for a robust conclusion to be drawn. Upon inclusion of these data into the impact assessment, additional mitigation proposals may be required.	D1 – Progressed. Natural England will provide further advice on updated Schedule of mitigation at Deadline 2. D2 – No change. Natural England will provide further advice on updated Schedule of mitigation at Deadline 3. D3 – No change. See our advice in Appendix H2. D4 - No change. Natural England refers the ExA to our advice in Appendix H2 submitted at Deadline 3. Natural England also awaits the response from the Applicant to the Examining Authorities second set of Written Questions Q2 HRA 1.1 and 1.2 and submission of updated RIAA at Deadline 4 in regard to this matter.	Please refer to the position stated for Point 5; it is considered that this point has now been resolved.	D5- Issue progressed. To resolve this issue the Applicant should address our outstanding concerns as detailed in Appendix I3 at Deadline 5. As point 9 above Natural England welcomes the additional mitigation measures for PFG and dark-bellied brent geese and the commitment to pre-construction monitoring to ensure mitigation measures remain valid. However, Natural England advises further commitments for DBBG are made.	The Applicant has addressed Natural England's points in relation to dark-bellied brent goose within Appendix I3 and therefore this point can be resolved at Deadline 6. Please refer to the Applicant's comments on Deadline 5 Submissions (document reference 21.3, version 1.0) for details.
12	I22	Conclusions on temporary habitat loss considered no AEOI for Lapwing due to the <40% of arable fields	D1 – Progressed. Please see our Deadline 1 response Appendix I1. D2 – No change.	The Applicant believes that it has provided sufficient information into the Examination to date which justifies the Applicant's	D5- No change. Natural England is expecting to engage directly with the Applicant regarding temporary	The Applicant and Natural England have engaged directly on this matter at a meeting held on

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Deadline Consultations, Actions, Progressions and RAG	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
		which are being subject to temporary habitat loss. Natural England notes that this is based upon one year of survey data (peak flock count of 400). The Applicant should demonstrate that these conclusions remain valid considering the second year data which shows much higher abundances of this species identified along the onshore ECC route.	D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the ExA to our advice in Appendix H2 submitted at Deadline 3. Natural England also awaits the response from the Applicant to the Examining Authorities second set of Written Questions Q2 HRA 1.1 and 1.2 and submission of updated RIAA at Deadline 4 in regard to this matter.	position. This is summarised in the column titled 'The Applicant's Deadline 4 Position'. The Applicant is seeking further engagement to discuss the issue and determine whether agreement is possible.	disturbance to lapwing between Deadline 5 and 6 on this matter. We will provide an update at Deadline 6.	24 March 2025 at which Natural England provided advice and clarification on the further measures that have been requested, which are sufficient to address NE's concerns on this matter. The Applicant has incorporated these additional measures into Section 3.7.5.5 of the OLEMS (document reference 8.10, V8, submitted at Deadline 6), which has been shared with Natural England in advance of Deadline 6 in order to achieve resolution at Deadline 6. Natural England responded via email on 03 April 2025 and recognised the intention to mitigate the impacts, however asked that the types of measures that could be used be stated and also that the freezing weather restriction be extended throughout the winter period from October to March inclusive. In response, the Applicant has added this extra information and clarification to the OLEMS and considers that this matter can now be marked as resolved.
13	I23	The conclusion of No AEoI from the impact of temporary habitat loss utilises a summary of "generally 50% or less" of arable fields, where golden plover were identified in the first year survey, would be subject to temporary habitat loss. Considering the second year of baseline characterisation data which shows a general trend of greater abundances of individuals within flocks compared to the first year, Natural England advises that	D1 – Progressed. Please see our Deadline 1 response Appendix I1. D2 – No change. D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the ExA to our advice in Appendix I2 submitted at Deadline 3. Natural England also awaits the response from the Applicant to the Examining Authorities second set of Written Questions Q2 HRA 1.1 and 1.2 with regard to this matter.	Please refer to the response to Point 12.	D5- No change. Natural England is expecting to engage directly with the Applicant regarding temporary disturbance to golden plover between Deadline 5 and 6 on this matter. We will provide an update at Deadline 6.	Please refer to the response to Point 12.

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Consultations, Progressions and RAG Deadline Actions,	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
		this conclusion is reviewed and justified with a full baseline characterisation data set.				
14	I24	The conclusion on temporary habitat loss for curlew relies on the same evidence as those drawn for lapwing. Advice and recommendation on lapwing above is also relevant to populations of curlew.	D1 – Progressed. Please see our Deadline 1 response Appendix I1. D2 – No change. D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the ExA to our advice in Appendix I2 submitted at Deadline 3. Natural England also awaits the response from the Applicant to the Examining Authorities second set of Written Questions Q2 HRA 1.1 and 1.2 with regard to this matter.	Please refer to the response to Point 12.	D5- No Change. We expect to engage with the Applicant regarding curlew between Deadline 5 and 6 and will provide an update at Deadline 6.	Please refer to the response to Point 12.
15	I25 & I5	The project has adopted mitigation in the form of localised working and reinstatement programmes to reduce impacts of disturbance and temporary habitat loss on land functionally linked to features of protected sites, in particular The Wash SPA and Ramsar. These measures have been applied at a high level across the ECC without considering specific designated species distribution patterns, species specific disturbance distances and preferred foraging habitat distribution within the route. Further information on the mitigation measures in the context of these important factors should be included.	D1 – Progressed. Please see our Deadline 1 response Appendix I1. D2 – No change. D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the ExA to our advice in Appendix I2 submitted at Deadline 3.	Please refer to the response to Point 12.	D5- No change. Natural England is expecting to engage directly with the Applicant regarding disturbance to Annex I SPA features between Deadline 5 and 6 on this matter. We will provide an update at Deadline 6.	Please refer to the response to Point 12.
16	I26	The conclusion of No AEoI from temporary disturbance due to construction activity to populations of golden plover, which are designated interest features of the Humber Estuary SPA, The Wash Ramsar and part of The Wash SPA	D1 – Progressed. Please see our Deadline 1 response Appendix I1. D2 – No change. D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the ExA to our advice in	Please refer to the response to Point 12.	D5- No change. Natural England is expecting to engage directly with the Applicant regarding temporary disturbance to golden plover between Deadline 5 and 6 on this	Please refer to the response to Point 12.

Point	Ref from Appendix I [RR-045]	Taken from Natural England's Relevant and Written Representations ODOW Appendix I – Onshore Ornithology [RR-045]	Natural England's Consultations, Progressions and RAG Deadline Actions,	The Applicant's Deadline 4a Position	NE D5	The Applicant's Current Position
		assemblage, is based upon 1 year of survey data. Assessment of impact should be based upon two years of baseline characterisation data and set against population trends of the species and the conservation objectives of the sites where they are designated.	Appendix I2 submitted at Deadline 3. Natural England also awaits the response from the Applicant to the Examining Authorities second set of Written Questions Q2 HRA 1.1 and 1.2 with regard to this matter.		matter. We will provide an update at Deadline 6.	
17	I27	A conclusion of No AEoI for the impact of temporary disturbance to populations of designated pink-footed geese using FLL is reliant on one year of baseline characterisation data and the availability of alternative foraging habitat. To have confidence in the impact conclusion, Natural England needs to understand the abundance and distribution from 2 years of baseline characterisation data. The Applicant should demonstrate how much of this land could be subject to temporary disturbance within the foraging range and subsequently whether an impact would require mitigating.	D1 – Progressed. Please see our Deadline 1 response Appendix I1. D2 – No change. D3 – No change. Please see our advice in Appendix I2. D4 - No change. Natural England refers the ExA to our advice in Appendix I2 submitted at Deadline 3. Natural England also awaits the response from the Applicant to the Examining Authorities second set of Written Questions Q2 HRA 1.1 and 1.2 with regard to this matter.	Please refer to the position stated for Point 5; it is considered that this point has now been resolved.	D5- Issue progressed. Please refer to our detailed advice in Appendix I3. Natural England welcomes the Applicant's inclusion of additional mitigation measures within the OLEMS [REP4a-084] and the commitment to a Construction Programme Management Plan for pink footed geese. We expect to be in agreement with the Applicant by the end of examination providing our outstanding concerns as detailed in Appendix I3 are addressed.	The Applicant has addressed each of Natural England's points in relation to pink-footed goose within Appendix I3 and therefore believes this point can be resolved at Deadline 6.
18	New Issue D1	There is disagreement between Natural England and Applicant on the impact assessment for Dark Bellied Brent Geese, Pink Footed Goose, Lapwing, Curlew and Golden Plover. Additional focus will need to be on mitigation measures	D1 – New Issue identified at Deadline 1, see Appendix I1. D2 – No change. D3 – No change. D4 - No change. Natural England refers the ExA to our advice in Appendix I1 submitted at Deadline 1. Natural England advises the applicant to consider and present mitigation measures for Natural England's review.	Additional mitigation measures have been secured for pink-footed goose (please refer to the Applicant's position stated for Point 5) and for dark-bellied brent goose (please refer to the Applicant's position for Point 9); it is considered that this point has now been resolved in relation to those species. For lapwing, curlew and golden plover, please refer to the Applicant's position for Point 12, which states that further engagement is required.	D5- Issue progressed. Please refer to our detailed advice in Deadline 5 Appendix I3. Natural England welcomes the Applicant's inclusion of additional mitigation measures within the OLEMS [REP4a-084] and the commitment to a Construction Programme Management Plan for pink footed geese. To resolve this issue the Applicant should address our outstanding concerns as detailed in Appendix I3. See points above. We expect to engage with the Applicant regarding other designated species between Deadline 5 and 6.	Please refer to the response to Point 12.

2 Annex 1: Email exchange with Natural England

[redacted]

From: [redacted] naturalengland.org.uk>
Sent: 02 April 2025 15:
To: [redacted]
Cc: [redacted]

Subject:

Hi [redacted]

Unfortunately, we have no availability for a call this afternoon and are unlikely to be able to engage now before the deadline. There is also insufficient time for changes/updates to be undertaken to the assessments and documentation related to UWN and NAS that would need to be done to underpin this suggested change to wording and for us to review and respond accordingly.

We have included the current MMMP condition wording that was agreed with the MMO and circulated yesterday in our response for the deadline on Friday.

We suggest the best approach to be taken now is for all parties to submit their final positions and ultimately leave it to the SoS to make a decision.

The wording you suggest does go some way to commit to NAS in the way we have been requesting and is a significant step towards resolving the issue. We also note your willingness to amend the wording of the MMMP condition to state NAS will be used for piling activities. Therefore, we will factor this into our final Risk and Issue Log and final submission on Friday in a positive light.

Kind regards,

[redacted]

[redacted]
Marine Higher Officer – Major Casework
Norfolk and Suffolk Area Team
[redacted]w.gov.uk/natural-england
[redacted]

From: [redacted]
Sent: 02 April 2025 13:57
[redacted]@naturalengland.org.uk>; [redacted]
[redacted]@marinemanagement.org.uk> [redacted] naturalengland.org.uk> [redacted]
[redacted] naturalengland.org.uk>; [redacted] naturalengland.org.uk>
Cc: [redacted] natura [redacted] ; [redacted] marinemanagement.
Subject: RE: Underwater Noise / Noise Abatement Etc.
Importance: High

[redacted]

Given we have committed to best endeavours use NAS – and have explained how high a bar that is, our view is that we have committed to using NAS other than in the most extreme circumstances that would fall within the scope of best endeavours.

As the project has made this commitment, including internal considerations on cost, undertaken a supply chain review and is confident that NAS will be available to the Project we would be happy to amend the wording in the Outline MMMP state that NAS will be used for piling activities, unless otherwise agreed with the MMO.

Would you be available for a short call this afternoon to discuss the specific wording to be added to the outline MMP and SIP given how short of time we are between now and Deadline 6?

Kind regards,
[redacted]

[redacted]
Offshore Consents Manager
Outer Dowsing Offshore Wind

M [redacted]
www.OuterDowsing.com
2nd Floor, Boundary House, 91-93 Charterhouse Street, Farringdon, London, EC1M 6HR

OUTER DOWSING
OFFSHORE WIND

From: [redacted]@naturalengland.org.uk>
Sent: 02 April 2025 10:39
To: [redacted]@marinemanagement.org.uk>; [redacted] <[redacted] outerdowsing.com>; [redacted] naturalengland.org.uk>; [redacted] @naturalengland.org.uk>; [redacted] naturalengland.org.uk>
Cc: [redacted] naturalengland.org.uk>; [redacted] outerdowsing.com>; [redacted] @marinemanagement.
Subject: RE: Underwater Noise / Noise Abatement Etc.

Good morning, [redacted]

Thank you for your e-mail confirming this MMMP condition wording will be included within the DCO to be submitted at Deadline 6
However, we disagree this matter is now agreed as we don't consider the MMMP condition to be a commitment to NAS and reiterate that a commitment to do so would also resolve the harbour seal issue. This has been our advice since relevant representations.

Best wishes

[redacted]

From: [redacted] marinemanagement.org.uk>
Sent: 02 April 2025 09:59
To: [redacted] outerdowsing.com>; [redacted] naturalengland.org.uk>; [redacted] @naturalengland.org.uk>; [redacted] naturalengland.org.uk>; [redacted] org.uk>
Cc: [redacted] @naturalengland.org.uk>; [redacted] @outerdowsing.com>;

[redacted]@marinemanagement.org.uk>
Subject: Re: Underwater Noise / Noise Abatement Etc.

Good morning [redacted]

This is good news that this is now agreed.

Thank you for informing us that it can be included within the DCO to be submitted at Deadline 6.

[redacted]

[redacted]

Marine Licensing Case Manager I Marine Management Organisation.

[redacted]

[redacted]

Please note that I finish work at 15:00 on a Monday.

- My pronouns are [redacted]

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Our MMO Values: Together we are **Accountable, Innovative**, **Engaging** and **Inclusive**



From: [redacted]
Sent: Tuesday, April 01, 2025 5:18 PM
To: [redacted]
Cc:
Subject: RE: Underwater Noise / Noise Abatement Etc.

Good afternoon, [redacted]

Thank you for your response and proposed wording and for collaborating with the MMO on this – this is much appreciated.

Due to a delay to the DCO validation process, we have been able to agree to this drafting and include it within the DCO to be submitted at Deadline 6, as such we consider this matter now agreed.

Kind regards,

[redacted]

[redacted]

Offshore Consents Manager

Outer Dowsing Offshore Wind

[redacted]@outerdowsing.com | [redacted]

www.OuterDowsing.com

2nd Floor, Boundary House, 91-93 Charterhouse Street, Farringdon, London, EC1M 6HR

From [redacted] naturalengland.org.uk>
Sent: 01 April 2025 1
[redacted] outerdowsing.com>; [redacted] naturalengland.org.uk>; [redacted]@naturalengland.org.uk>; [redacted] naturalengland.org.uk>
Cc [redacted]@naturalengland.org.uk> [redacted] outerdowsing.com>; [redacted]@marinemanagement.org.uk>; [redacted]@marinemanagement.org.uk>
Subject: RE: Underwater Noise / Noise Abatement Etc.

Good morning [redacted]

Natural England has reviewed the condition wording in correspondence and agreement with the MMO, we propose the below wording to be included within the DCO/DML in relation to the MMMP.

(j) In the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol in accordance with the outline marine mammal mitigation protocol (piling), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body, to be submitted to the MMO at least six months prior to the commencement of piling activities. The marine mammal mitigation protocol must include consideration of deployment of noise mitigation systems or noise abatement systems that will be utilised to manage sounds from those piling activities. The marine mammal mitigation protocol must include full details and justification for the mitigation chosen or excluded for deployment.

We will also include this proposed updated wording in our Deadline 6 response.

Best wishes

[redacted]

From: [redacted]@outerdowsing.com>
Sent: 28 March 2025 14:37
To: [redacted]@naturalengland.org.uk>; [redacted]@naturalengland.org.uk>; [redacted] naturalengland.org.uk> [redacted] naturalengland.org.uk> [redacted]@naturalengland.org.uk>; [redacted] outerdowsing.com>
Subject: Underwater Noise / Noise Abatement Etc.

Good afternoon, [redacted]

I hope you're well.

As I mentioned on Monday – we have been discussing updated deemed Marine Licence (dML) condition drafting with the MMO and following further feedback from the MMO this morning we plan to update the dMLs at Deadline 6 as follows in relation to the MMMPs (noting this would apply to all dMLs other than the biogenic reef DML where there is no piling):

(j) In the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol in accordance with the outline marine mammal mitigation protocol (piling), the intention of which is to prevent injury to marine mammals, following current best practice as advised by the relevant statutory nature conservation body, to be submitted to the MMO at least six months prior to the commencement of piling activities. ***The marine mammal mitigation protocol must include details and justification of any noise mitigation systems or noise abatement systems that will be utilised to manage sounds from those piling activities.***

As noted in Examination, we have made a commitment to make best endeavours to use primary and/or secondary noise abatement systems in line with Defra policy, as well as submitting an explanation of our understanding of the term "best endeavours" and explaining how high a bar this is, and we have explained in hearings and written submissions that we have undertaken a supply chain review and are therefore confident that noise abatement will be available to the project, but we cannot be specific which technology/system we will use at this point in time as we do not have final detailed design or, more importantly, do not know which installation vessels we will use which will dictate which supplier we may need to use.

Further to Natural England previous request for noise abatement to named on the face of the DCO / dMLs, can you please advise if this satisfied your concerns in relation to this matter?

Kind regards,

[redacted]

[redacted]

Offshore Consents Manager

Outer Dowsing Offshore Wind

[redacted]@outerdowsing.com | [redacted]

www.OuterDowsing.com

2nd Floor, Boundary House, 91-93 Charterhouse Street, Farringdon, London, EC1M 6HR

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