



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed Dogger Bank D Wind Farm

Case Reference: EN010144

Adopted by the Planning Inspectorate (on behalf of the Secretary of State)
pursuant to Regulation 10 of The Infrastructure Planning (Environmental
Impact Assessment) Regulations 2017

02 August 2024

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1. INTRODUCTION

1.0.1 On 24 June 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from Doggerbank Offshore Wind Farm Project 4 Projco Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Dogger Bank D Wind Farm (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.

1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

Scoping Report (Part 1):

<http://infrastructure.planninginspectorate.gov.uk/document/EN010144-000069>

Scoping Report (Part 2):

<http://infrastructure.planninginspectorate.gov.uk/document/EN010144-000070>

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has/ has not agreed to scope out certain aspects/ matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects/ matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects/ matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Section 3)

ID	Ref	Description	Inspectorate's comments
21.1	Section 3	Description of development	<p>The description of the Proposed Development within the Scoping Report is indicative and relatively high level, which does affect the level of detail possible in the Inspectorate's comments.</p> <p>In particular, the Inspectorate notes that there is limited information to explain how the design characteristics of the Offshore Hybrid Asset (OHA) option would differ from the radial connection and that the locations of principal development components within the application site (for example the landfall and the Onshore Converter Station(s) (OCS)) have not been confirmed. It is also noted that Table 3-1 of the Scoping Report describes key indicative parameters using terminology such as "<i>up to an estimated...</i>" and "<i>up to approximately...</i>", but it is explained that these parameters would continue to be refined throughout the EIA process.</p> <p>The Inspectorate understands that at this point in the evolution of the Proposed Development, a final description of the development is not yet confirmed, and the red line boundary is likely to be refined. However, the Applicant should be aware that the description of the Proposed Development provided in the ES must be sufficiently certain to meet the requirements of the EIA Regulations. The description of the Proposed Development in the ES should make reference to the design, size and locations of each element, including maximum heights, design parameters and limits of deviation. The description</p>

ID	Ref	Description	Inspectorate's comments
			<p>should be supported (as necessary) by figures, cross sections and drawings which should be clearly and appropriately referenced.</p> <p>If both the radial connection and OHA options are to form part of the application for Development Consent, the description of the Proposed Development in the ES should include all design characteristics and parameters applicable to both options. The Inspectorate considers this is necessary in order to meet the requirements of the EIA Regulations and to provide confidence that the worst case scenario has been assessed in the ES. For example, it is not clear from Table 3-1 of the Scoping Report whether the inter-connector cables required for an OHA have been considered within the worst-case scenario parameters.</p>
212	Sections 3.2 and 3.3 and Table 3-1	Design envelope approach	<p>Table 3-1 of the Scoping Report sets out the “<i>Key Indicative Parameters for the Realistic Worst-Case Scenario Assessed in the Scoping Report</i>”. It is not clear how the parameters in Table 3-1 would relate to the parameters which would be set out in the draft Development Consent Order (DCO).</p> <p>The ES should assess the worst case that could potentially be built out in accordance with the Authorised Development of the DCO being applied for; this includes (but is not limited to) parameters relating to the number of turbines, turbine height, foundation types, scour protection, cable protection and the layout of offshore structures.</p>
213	Section 3.4.1.2 and Table 3-2	Drill arisings	<p>The ES should identify the likely site/s for the disposal of drill arisings and include an assessment of any likely significant effects (LSE) resulting from these activities.</p>

ID	Ref	Description	Inspectorate's comments
214	Section 3.4.1.2 and Table 3-2	Seabed preparation	The ES should provide further detail on the proposed seabed preparation activities required and identify the worst-case footprint of seabed disturbance that would arise. Should seabed preparation involve dredging, the ES should identify the quantities of dredged material and likely location for disposal. Any LSE from dredging or dredge disposal should be assessed.
215	Paras 116 and 117	Scour protection	The ES should confirm the amount of scour protection required for each foundation type under consideration, what the maximum seabed footprints would be and the timeframes for installation.
216	Paras 121 and 124	Cable burial	If flexibility is sought regarding cable burial depth, the assessments should be based on the relevant worst case, with a clear justification as to why this is considered to be the relevant worst case.
217	Para 125 and Table 3-3	Cable protection	The ES should detail the maximum volume of material required for cable protection and explain how this has been quantified.
218	Section 3.4.3	Landfall	<p>Paragraph 129 of the Scoping Report explains that dependant on the engineering constraints of the proposed landfall, different cable installation methodologies will be considered and it is assumed that suitable technologies will include trenchless solutions.</p> <p>The ES should describe and assess the option/s in this regard, including effects during construction, operation and decommissioning. Impacts associated with the anticipated changes at the coastal landfall site throughout the lifetime of the Proposed Development (including both vertical change in beach profile and the effects from coastal retreat) should be assessed where significant effects are likely. The ES should describe how cable burial and siting of associated</p>

ID	Ref	Description	Inspectorate's comments
			<p>infrastructure will be managed throughout the lifespan of the Proposed Development.</p> <p>The Alternatives chapter of the ES should describe the main reasons for the option/s chosen, including a comparison of the environmental effects.</p>
21.9	Section 3.4.4	Crossings within the onshore export cable corridor (ECC)	<p>As the locations of the landfall and onshore components have yet to be confirmed, it is not yet clear whether any temporary or permanent crossings of watercourses, major roads and/ or railways would be required. The Scoping Report explains that onshore export cables would be installed via open cut trenching methods, and where required, using trenchless crossings eg Horizontal Directional Drilling (HDD).</p> <p>The ES should identify the locations and types of all such crossings within the onshore ECC, as well as the nature of any associated construction works (eg dewatering, trenching and HDD). Where reliance is placed on the use of a specific method to mitigate significant effects, the Applicant should ensure that such commitments are appropriately defined and secured.</p>
21.10	Para 134	Energy storage and balancing infrastructure (ESBI)	<p>Paragraph 134 of the Scoping Report explains that the infrastructure within the OCS Zone may incorporate ESBI, such as battery banks. If this option is pursued, the description of the physical characteristics and technical capacity of the ESBI should be developed in the ES to include details such as technology type/ specification.</p>
21.11	Section 3.5	Construction activities	<p>The ES should provide a full description of the nature, location and duration of construction activities. The construction programme should be described including any phasing in delivery.</p>

ID	Ref	Description	Inspectorate's comments
21.12	Section 3.5	Construction compounds	The ES should confirm the locations and sizes of the temporary construction compounds and where possible, show detailed layouts. Any mitigation measures proposed to avoid or minimise impacts relating to the use of compounds should be described in the ES.
21.13	Section 3.6	Operation and maintenance activities	<p>The Applicant should make effort to identify the location of the port and operation and maintenance base, where possible, and assess any LSE associated. In the event that the location/s cannot be confirmed, the ES should explain the assumptions and worst-case scenario which have informed the assessment.</p> <p>The ES should provide a full description of the nature and scope of operation and maintenance activities, including types of activity, frequency, and how works will be carried out for both offshore and onshore components. This should include consideration of potential overlapping of activities with those required for the continuing operation of existing windfarms in the area and construction of those proposed.</p>
21.14	Section 3.6	Decommissioning	The Scoping Report contains limited information with regards to likely decommissioning activities and does not specify the likely duration of the decommissioning phase. The Inspectorate expects the ES to describe the likely decommissioning activities and timescales and include an assessment of impacts arising from decommissioning, where LSE could occur.
21.15	Paras 286, 470, 545, 876 and 937	Unexploded Ordnance (UXO)	The Inspectorate notes that separate Marine Licence application(s) will be made prior to construction for UXO investigation and clearance works, with an accompanying assessment of UXO clearance impacts on relevant receptors. The Scoping Report states that any

ID	Ref	Description	Inspectorate's comments
			<p>assessments for UXO clearance in the EIA will be for information only and are not part of the DCO application.</p> <p>The Inspectorate understands that the number, type and size of UXO devices is not known at this stage and that a detailed UXO survey will be conducted prior to construction.</p> <p>The Inspectorate advises that the ES should still include a high-level assessment in relevant aspect chapters based on a likely worst-case scenario (any assumptions used in the definition of the worst-case scenario should be explained in the ES). The ES should address any cumulative effects from the construction of the Proposed Development with the likely effects from the UXO clearance.</p>
21.16	Section 7.2.3.1.2 and Table 3-1	Cofferdams	Section 7.2.3.1.2 of the Scoping Report states that construction of the landfall could involve one or more cofferdams. Relevant parameters for any cofferdams, including maximum number, should be described in the ES.
21.17	n/a	Lighting	The ES should describe any temporary or permanent lighting requirements.
21.18	n/a	Vehicle and vessel movements	The ES should detail the type and number of anticipated vehicle and vessel movements during all phases of the Proposed Development and explain the assumptions upon which these have been established.
21.19	n/a	Access routes	<p>The ES should describe the proposed site entrance/s and the routes to be used for all vehicular access during construction and operation of the Proposed Development and this information should be clearly presented on supporting plans within the ES.</p> <p>The ES should describe and assess the potential impacts (both positive and negative) associated with any improvements/ changes to</p>

ID	Ref	Description	Inspectorate's comments
			<p>the access routes which are either required to facilitate construction/operation of the Proposed Development or are required for restoration purposes on completion of the works.</p> <p>The ES should explain how the proposed access route(s) relate to sensitive receptors.</p>
2120	n/a	Existing infrastructure	<p>The Scoping Report identifies a number of existing infrastructure assets within or in proximity to the application site, including wind farms, transport infrastructure and the Leven Canal. The assessment in the ES should take into account the location of existing infrastructure and identify any interactions between it and the Proposed Development. Any significant effects that are likely to occur should be assessed. The Applicant's attention is drawn to the scoping consultation responses including from National Gas, Network Rail, Northern Gas Networks and UK Power Distribution (Appendix 2 of this Opinion) which highlight infrastructure likely to be affected.</p>
2121	Section 4	Alternatives	<p>The description of the reasonable alternatives in the ES should include the Proposed Development as described in the Applicant's first EIA Scoping Report (dated 21 April 2023) where relevant, eg the Offshore ECC.</p>

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Section 5)

ID	Ref	Description	Inspectorate's comments
221	Paras 10, 29 to 31 and 188	Baseline conditions	<p>The Scoping Report indicates that the ES will utilise existing data collected for other similar projects within the Dogger Bank Zone (updated where relevant), alongside data collected by the Applicant specifically for the Proposed Development. In addition, opportunities for coordination with other planned developments are currently being explored by the Applicant to share relevant information.</p> <p>The Inspectorate notes that some of the data collected specifically for the Proposed Development (eg data to inform the ornithology and marine mammal baseline collected between October 2021 to September 2023) will be at, or approaching, five years old by the expected time of submission of the DCO application in Q3 2026.</p> <p>The ES should include an explanation of why such data is considered applicable and (where not updated) considered to remain representative of the current state of the environment. This should be supported by evidence of agreement with relevant consultation bodies on this point.</p>
222	Para 36	Non-planning permit, licence and consent applications	<p>The Applicant should have regard to the advice in Annex D of the Inspectorate's Advice Note 11: Working with Public Bodies, in particular the section on 'Parallel Tracking' of environmental permit application(s).</p>
223	Paras 209 to 214	Mitigation and monitoring	<p>The ES should confirm how all mitigation proposed is secured, with reference to specific DCO requirements or other legal mechanism. The ES should describe any proposed monitoring and explain how the results of such monitoring would be utilised to inform any necessary remedial actions.</p>

ID	Ref	Description	Inspectorate's comments
224	Para 224	Cumulative effects assessment (CEA)	<p>Paragraph 224 of the Scoping Report states “...only plans and projects that are accessible, reasonably well-defined, and sufficiently advanced to provide information on which to base a meaningful and robust assessment will be included in the CEA.”</p> <p>As set out in the Inspectorate's Advice Note 17 on CEA, an assessment should be provided for all Tier 1 and Tier 2 other development, where possible. For other development falling into Tier 3, the Applicant should aim to undertake an assessment where possible, although this may be qualitative and at a very high level. The assessment should be carried out with reasonable effort and should be clearly documented in the ES, for example using the format presented in Matrix 2 of Advice Note 17.</p> <p>The assessment should include any cumulative effects with the proposed Birkhill Wood Substation.</p>
225	Section 5.7	CEA	<p>In general, the description of the approach to the cumulative impact assessment within the aspect sections of the Scoping Report is limited. Some sections of the Scoping Report (eg Benthic and Intertidal Ecology; Fish and Shellfish Ecology) state that impacts that are considered highly localised (ie occur only within the red line boundary of the Proposed Development), may be screened out of the cumulative assessment on this basis. The Inspectorate considers that impacts that are highly localised still have potential to contribute to significant cumulative effects. For example, multiple highly localised impacts that occur across a broad area of the seabed could lead to a cumulative effect across multiple projects.</p> <p>Where impacts (including any 'highly localised impacts') are scoped out of the CEA, this should be sufficiently justified.</p>
226	Section 5.9	Transboundary effects	<p>The Scoping Report identifies potential transboundary effects in relation to: Marine Physical Processes, Benthic and Intertidal Ecology; Fish and</p>

ID	Ref	Description	Inspectorate's comments
			<p>Shellfish Ecology; Marine Mammals; Intertidal and Offshore Ornithology; Commercial Fisheries; Shipping and Navigation; Aviation, Radar and Military; Offshore Archaeology and Cultural Heritage; and Other Marine Users.</p> <p>The Inspectorate notes that it has an ongoing duty in relation to consideration of transboundary effects and will undertake a separate transboundary re-screening exercise on behalf of the SoS under Regulation 32 of the EIA Regulations following adoption of the new Scoping Opinion. As that re-screening exercise has yet to be undertaken, the Inspectorate is not in a position to agree to scope out all proposed transboundary effects at this stage. The Inspectorate recommends that where Regulation 32 applies, the ES should identify whether the Proposed Development has the potential for significant transboundary effects and if so, what these are and which European Economic Area (EEA) States would be affected.</p>

3. ENVIRONMENTAL ASPECT COMMENTS - OFFSHORE

3.1 Marine Physical Processes

(Scoping Report Section 7.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
31.1	Paras 282, 283 and Table 7-1	Impacts on wave and tidal currents from the presence of physical structures in the water column and construction activities near the coast - construction and decommissioning	<p>The Scoping Report proposes to scope out impacts on wave and tidal currents from the presence of physical structures in the water column on the basis that during construction, the potential effect from the presence of physical structures in the water column on wave and tidal currents will increase incrementally with the greatest effects being predicted during operation. The Inspectorate notes that the ES would include an assessment of the greatest effects during operation and agrees that this matter can be scoped out of further assessment for the offshore area.</p> <p>The Scoping Report provides limited information regarding the construction works in the nearshore area. The Inspectorate considers the potential presence of temporary cofferdams within the nearshore, or seabed excavation in nearshore areas could result in changes in wave and/ or current flows. On this basis the Inspectorate does not agree to scope out this matter for the nearshore area. The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
31.2	Para 295 and Table 7-1	Impacts on water circulation (Flamborough Front) – construction and decommissioning	<p>The Scoping Report proposes to scope out the impacts on water circulation to the Flamborough Front during construction and decommissioning. Rationale has not been provided for an operational phase only assessment. The Inspectorate considers that the greatest effects are likely to occur at the fully operative Array Area. However,</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			given the lack of rationale provided for an operation only assessment and noting the potential presence of temporary cofferdams within the nearshore area, the Inspectorate does not agree to scope this matter out of further assessment. The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
313	Paras 288, 294 and Table 12-3	Indentations on the seabed due to repair and maintenance vessels – construction and decommissioning	Given that repair and maintenance vessels will only be active during the operational phase, the Inspectorate agrees to scope this matter out of further assessment for construction and decommissioning.
314	Section 7.2.5 and Table 7-1	Transboundary impacts – construction and decommissioning	See comment in Table 2.2 above - the Inspectorate is not in a position to agree to scope this matter out until it has undertaken its separate transboundary re-screening exercise.

ID	Ref	Description	Inspectorate's comments
315	Para 272	Study area	<p>The Scoping Report states that the assessment of effects on marine physical processes will consider near-field and far-field areas, with the Zones of Influence (Zol) to be determined as part of the Preliminary Environmental Information Report/ ES, through further understanding of tidal ellipses and wave data relative to the direct footprint of the Proposed Development.</p> <p>The ES should clearly define the study area, based on the Zol, together with a robust justification for its final extent.</p>
316	Para 280	Coastal erosion	Paragraph 280 of the Scoping Report states that the Holderness coast is one of the most rapidly eroding coasts in Europe. The Inspectorate

ID	Ref	Description	Inspectorate's comments
			<p>considers that the ES should provide a full assessment of the potential for future, rapid, erosion of the cliffs. The potential for any infrastructure to be exposed to coastal processes during the operational phase, or decommissioning, should be considered in order to reduce the need to carry out mitigation and the Applicant is advised to consider the implications of coastal change on the chosen landfall siting and construction methodology. Reference should be made to the relevant Shoreline Management Plan (SMP).</p>
31.7	Para 308	Numerical modelling	<p>The Applicant states that the results of numerical modelling undertaken for the other Dogger Bank Zone offshore windfarms will be used alongside the results of the new models as part of the conceptual evidence-based assessment of potential effects of the Proposed Development.</p> <p>The ES should provide a justification as to why use of existing modelling provides a robust approach and is relevant to the physical and sedimentary environment at Dogger Bank D. Effort should be made to agree the approach with relevant consultation bodies.</p>
31.8	Section 7.2.2	Baseline environment	<p>Natural England (NE) highlights in its scoping consultation response (Appendix 2 of this Opinion) that the baseline characterisation presented does not cover underlying geology, seabed mobility, sediment transport pathways and rates, bedforms, thickness of sediment units, surge water levels and currents and seismic activity.</p> <p>The Applicant should make effort to agree the description of the baseline environment presented within the ES with relevant consultation bodies, including NE.</p>
31.9	Section 7.2.2	Identification of receptors	<p>Section 7.2 of the Scoping Report does not refer to designated sites. The Applicant's attention is drawn to comments from NE (Appendix 2 of this Opinion) regarding designated sites/ features located within the marine</p>

ID	Ref	Description	Inspectorate's comments
			physical processes study area. The Applicant should make effort to agree relevant receptors for inclusion in the Marine Physical Processes ES assessment with relevant consultation bodies, including NE.
3.1.10	Para 246	Impacts from UXO	See comment in Table 2.1 above.

3.2 Marine Water and Sediment Quality

(Scoping Report Section 7.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Para 326	Effects on suspended sediment concentrations	The Inspectorate agrees that impacts to water quality from increased suspended sediments may be assessed in the Marine Physical Processes Chapter of the ES, but the ES should employ appropriate and clear cross referencing.
322	Table 7-4 and sections 7.3.3.1 and 7.3.3.2	Remobilisation of existing contaminated sediments (Array Area) – all phases	<p>Scoping Report paragraph 347 states that site specific sediment surveys including chemical contaminants were undertaken as part of the benthic surveys in Q3 2023. Sampling locations in the Array Area are identified on Figure 7-7. The results are provided in Scoping Report Appendix C, which demonstrate that contamination concentrations are low compared to the Centre for Environment, Fisheries and Aquaculture Sciences (Cefas) Action Levels in the Array Area. The sediment is characterised as largely coarse and sandy in the Array Area and therefore less able to retain contaminants compared to finer sediment. Coarse sediment also disperses less and settles quicker as demonstrated by modelling previously undertaken for Dogger Bank C and Sofia Offshore Wind Farm, which are also located on Figure 7-7. All coatings and treatments, chemical transport and vessels will comply with standard best practice measures controlled through the Project Environmental Management Plan (PEMP).</p> <p>The Scoping Report also identifies that scour would be localised, would reach equilibrium and cease over time.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>On the basis of low-level contamination presence, the coarse nature of the sediment and the proposed best practice measures, the Inspectorate agrees this matter can be scoped out.</p> <p>A summary of the results from the sediment samples should be provided as an addendum to the ES.</p>
323	Table 7-4	Remobilisation of existing contaminated sediments (offshore ECC) – operation and decommissioning	<p>In line with comments in row ID 2.1.13 above, the Inspectorate considers that the maintenance activities required for operation are not fully described in the Scoping Report and the parameters are unknown.</p> <p>Scoping Report paragraph 141 states that it is not yet determined whether cables would be removed on decommissioning of the Proposed Development, or left in situ.</p> <p>It is also noted Scoping Report paragraph 333 states that this matter is scoped in for construction, pending the results of further sediment sampling.</p> <p>The Inspectorate does not consider that effects from remobilisation of existing contaminated sediments in the offshore ECC during operation and decommissioning can be scoped out at this stage. The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
324	Table 7-4 and paragraph 333	Accidental pollution – all phases	<p>Impacts could occur from installation/ removal of infrastructure during construction and decommissioning and use of lubricants and chemicals for maintenance during operation.</p> <p>Standard best practice measures are proposed to be secured through the PEMP and the project would be required to adhere to control measures under the International Convention for the Prevention of Pollution from</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Ships (MARPOL) Regulations. On this basis, the Inspectorate agrees that this matter can be scoped out. The ES should explain where appropriate control and best practice measures to reduce/ avoid potential pollution events are secured through the draft DCO (dDCO) or other legal mechanism, for all phases of the Proposed Development.
325	Table 7-4	Cumulative impacts – all phases	<p>Cumulative impacts are proposed to be scoped out on the basis that there are negligible levels of contamination currently found within sediments. However, Scoping Report paragraph 333 states that the results of further sediment sampling in the offshore ECC are pending and that the offshore ECC is scoped in for the remobilisation of existing contaminated sediments during construction, until the evidence is available to support scoping this matter out.</p> <p>The Inspectorate agrees that cumulative effects may be scoped out for the Array Area but should not be scoped out for the offshore ECC at this stage. The ES should provide an assessment where significant cumulative effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
326	Table 7-4	Transboundary impacts – all phases	See comment in Table 2.2 above. The Inspectorate is not in a position to agree to scope this matter out until it has undertaken its separate transboundary re-screening exercise.

ID	Ref	Description	Inspectorate's comments
327	Section 7.3.2.4 and Table 7-4	Remobilisation of existing contaminated sediments (offshore ECC)	The Environment Agency's (EA) scoping consultation response (Appendix 2 of this Opinion) notes the potential for bathing water quality to be impacted during the designated bathing water season. The ES

ID	Ref	Description	Inspectorate's comments
			should consider the potential for mobilising any sources of contamination associated with higher concentrations of fine suspended solids at the offshore ECC, which could result in elevated levels of bacteria.

3.3 Benthic and Intertidal Ecology

(Scoping Report Section 7.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
331	Table 7-8 and para 376	Habitat loss/ alteration – construction	Scoping Report paragraph 376 states that impacts that span the life of the Proposed Development, such as habitat loss, will be considered as part of the operational phase and therefore, this is scoped out for construction. Temporary habitat loss/ physical disturbance during construction is proposed to be scoped into the ES separately. The Inspectorate agrees with this approach.
332	Table 7-8 and section 7.4.3.3.4	Remobilisation of contaminated sediments if present (offshore ECC) – operation	<p>Impacts could occur from scour and routine maintenance activities during operation.</p> <p>The Inspectorate agrees that scour from the turbine bases is unlikely to result in significant effects and can be scoped out from further assessment.</p> <p>In line with comments in row ID 2.1.13 above, the Inspectorate considers that the maintenance activities required for operation are not fully described in the Scoping Report and the parameters are unknown.</p> <p>The Inspectorate does not consider that effects from remobilisation of contaminated sediments from routine maintenance activities during operation can be scoped out at this stage. The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
333	Table 7-8 and sections 7.4.3.1.3	Remobilisation of contaminated sediments (Array Area) – all phases	For the reasons set out in row ID 3.2.2 above, the Inspectorate agrees this matter can be scoped out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
	and 7.4.3.3.4		
334	Table 7-8 and section 7.4.3.1.4	Pollution events resulting from the accidental release of pollutants – all phases	<p>Impacts could occur from installation/ removal during construction and decommissioning and use of lubricants and chemicals for maintenance during operation. Standard best practice measures are proposed to be secured through the PEMP and the project would be required to adhere to control measures under the MARPOL Convention Regulations. On this basis, the Inspectorate agrees that this matter can be scoped out.</p> <p>The ES should explain where appropriate control and best practice measures to reduce/ avoid potential pollution events are secured through the dDCO or other legal mechanism, for all phases of the Proposed Development.</p>
335	Table 7-8 and section 7.4.3.3.9	Underwater noise and vibration – operation	<p>Impacts from underwater noise and vibration during operation are proposed to be scoped out on the premise that maintenance activities will be the only source of impact (piling is only proposed during construction) and will be similar to construction impacts but lesser in extent and magnitude.</p> <p>In line with comments in row ID 2.1.13 above, the Inspectorate considers that the maintenance activities required for operation are not fully described in the Scoping Report and the parameters are unknown. NE has also highlighted (Appendix 2 of this Opinion) that maintenance activities can inhibit or slow recovery of impacted habitat. On this basis, the Inspectorate does not agree to scope out impacts from underwater noise and vibration during operation.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
336	Para 394	Noise and vibration impacts on benthic and intertidal ecology during construction from vessel movement and UXO clearance - construction and decommissioning	Scoping Report paragraph 394 states that UXO clearance would only have small spatial and temporal impacts due to the nature of the activity and that there is no evidence to suggest the low level of noise and vibration from vessel movements would impact benthic ecology. On the basis of the above information, the Inspectorate agrees to scope this matter out.
337	Table 7-8	Interactions of electro-magnetic field (EMF), including potential cumulative EMF effects – construction and decommissioning	The Inspectorate agrees to scope out impacts from EMF during construction and decommissioning as the cables would not be live and therefore there would be no pathway for effect.
338	Table 7-8 and sections 7.4.3.2 and 7.4.3.3.7	Introduction of marine invasive non-native species (INNS) from vessel traffic – all phases	The Inspectorate agrees that by employing biosecurity measures secured through the PEMP (in line with the regulations and guidance listed in Scoping Report paragraph 390), significant effects are unlikely to occur and that this matter can be scoped out.
339	Table 7-8 and section 7.4.3.3.10	Sediment heating from export cables – all phases	Based on scientific evidence, Scoping Report paragraph 415 states that increases in temperature will be limited to a very narrow band above the cables with negligible heat transfer and that modelling demonstrates that at 20cm below the seabed, temperature increase would be <2C. The Inspectorate agrees that as cables are proposed to be buried between 0.5 and 0.9m, or where this is not possible, be surrounded by cable protection measures (Scoping Report paragraph 122), significant effects on benthic ecology are unlikely to occur. This matter can be scoped out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
33.10	Table 7-8 and section 7.4.3.3.8	Colonisation of introduced substrate – construction	The Inspectorate agrees this matter can be scoped out for the construction phase due to the introduced substrate not yet being present.

ID	Ref	Description	Inspectorate's comments
33.11	Section 7.4.2 and Table 7-7	Dogger Bank Special Area of Conservation (SAC) as a relict sandbank	The ES description of baseline conditions should highlight that Dogger Bank is a relict sandbank. The scoping consultation response from NE (Appendix 2 of this Opinion) states that this increases its sensitivity to activities and pressures as there is no way for it to return into a stable condition once depleted.

3.4 Fish and Shellfish Ecology

(Scoping Report Section 7.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
341	Table 7-12 and sections 7.5.3.1.1 and 7.5.3.3	Accidental release of pollutants – all phases	<p>Impacts could occur from installation/ removal during construction and decommissioning and use of lubricants and chemicals for maintenance during operation.</p> <p>Standard best practice measures are proposed to be secured through the PEMP and the project would be required to adhere to control measures under the MARPOL Convention Regulations. On this basis, the Inspectorate agrees that this matter can be scoped out. The ES should explain where appropriate control and best practice measures to reduce/ avoid potential pollution events are secured through the dDCO or other legal mechanism, for all phases of the Proposed Development.</p>
342	Table 7-12 and para 455	Permanent habitat loss/ physical disturbance – construction	<p>Scoping Report paragraph 455 states that impacts spanning the life of the Proposed Development, such as long-term habitat loss, will be considered as part of the operational phase and therefore, this is scoped out for construction. Temporary habitat loss/ physical disturbance because of construction is proposed to be scoped into the ES. The Inspectorate agrees with this approach.</p>
343	Table 7-12 and sections 7.5.3.1.4 and 7.5.3.3.4	Remobilisation of contaminated sediments if present (Array Area) – all phases	<p>For the reasons set out in row ID 3.2.2 above, the Inspectorate agrees this matter can be scoped out.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
344	Table 7-12 and sections 7.5.3.1.4 and 7.5.3.3.4	Remobilisation of contaminated sediments if present (offshore ECC) – operation and decommissioning	<p>In line with comments in row ID 2.1.13 above, the Inspectorate considers that the maintenance activities required for operation are not fully described in the Scoping Report and the parameters are unknown.</p> <p>Scoping Report paragraph 141 states that it is not yet determined whether cables would be removed on decommissioning of the Proposed Development, or left in situ.</p> <p>It is also noted from Scoping Report paragraph 467 states that this matter is scoped in for construction, pending the results of further sediment sampling.</p> <p>The Inspectorate does not consider that effects from remobilisation of existing contaminated sediments in the offshore ECC during operation and decommissioning can be scoped out at this stage. The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
345	Table 7-12	EMF effects – construction and decommissioning	<p>On the basis that cables would not be live until the beginning of operation, the Inspectorate agrees to scope out impacts from EMF from the offshore operational cables during construction and decommissioning, as there would be no pathway for effect.</p>
346	Table 7-12 and section 7.5.3.3.7	Sediment heating from export cables – all phases	<p>The Inspectorate notes the Marine Management Organisation's (MMO) scoping consultation response (Appendix 2 of this Opinion) which details the burrowing nature of sandeels and their vulnerability to habitat disturbance, in respect of sediment heating from export cables.</p> <p>The Inspectorate agrees to scope this matter out for construction and decommissioning but in view of the potential impacts to sandeels, does not agree to scope this matter out for operation. The ES should include an</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			operation phase assessment of this matter or evidence demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
34.7	Table 7-12	Introduction of hard substrate – construction	The Inspectorate agrees this matter can be scoped out for the construction phase due to the introduced substrate not yet being present.
34.8	Section 7.5.3.3.5 and Table 7-12	Underwater noise and vibration - operation	<p>Scoping Report paragraphs 486 to 488 cite studies from 2007 and 2014 to support the assertion that operational noise and vibration from wind farms does not impact fish and shellfish species. However, wind turbine output and size has increased since this time. Reference is also made to a study from 2021 but the turbine output assessed in this study (10MW) is less than those anticipated to be delivered for the Proposed Development (14 to 27MW; Scoping Report paragraph 110). In the absence of evidence that the proposed turbines would have comparable noise outputs to those considered in the 2007 and 2014 studies, the Inspectorate is not in a position to agree to scope this matter out from the assessment. The ES should include an assessment of this matter or evidence demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p> <p>The Inspectorate notes that section 7.5.3.3.5 contradicts Table 7-12 which shows the impacts of underwater noise and vibration as scoped in for all phases. This should be clarified and the Applicant should ensure that the ES is consistent throughout.</p>

ID	Ref	Description	Inspectorate's comments
34.9	Para 470	Impacts from UXO	See comments in Table 2.1 above.

ID	Ref	Description	Inspectorate's comments
34.10	Para 519	Consultation with key stakeholders	<p>Scoping Report paragraph 519 states that liaison with key stakeholders will take place to agree the approach to data collection. The Inspectorate advises that consultation with key stakeholders should also seek agreement on wider matters such as the assessment methodology and identification of receptors and potential impacts. The Applicants attention is drawn to the EA and MMO's scoping consultation responses (Appendix 2 of this Opinion), regarding the consideration of mobile/ migratory species and the impacts of habitat disturbance to herring spawning habitat along the offshore ECC, and impacts of noise and vibration from construction activities in the array area and the Offshore Substation Platform(s).</p>

3.5 Marine Mammals

(Scoping Report Section 7.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
35.1	Table 7-15	Underwater noise: physical and auditory injury and behavioural impacts resulting from impact piling during construction - operation and decommissioning	It is noted that this impact would only occur during the construction phase. The Inspectorate is content that this matter can be scoped out of further assessment at the operation and decommissioning stages.
35.2	Table 7-15	Underwater noise: physical and auditory injury and behavioural impacts resulting from operational wind turbine noise - construction and decommissioning	It is noted that this impact would only occur during the operational phase. The Inspectorate is content that this matter can be scoped out of further assessment at the construction and decommissioning stages.
35.3	Para 561	Changes to water quality (increased suspended sediment) (with the exception of impacts to prey resource) – all phases	Regarding increased suspended sediments, the Inspectorate is content that impacts on marine mammals (with the exception of impacts to prey resource, which is scoped in) are not likely to result in significant effects and can be scoped out.
35.4	Table 7-15 and Section 7.6.3.1.5	Changes to water quality (sediment bound contaminants) in the Array Area - all phases	For the reasons set out in row ID 3.2.2 above, the Inspectorate agrees this matter can be scoped out.
35.5	Table 7-15 and sections 7.6.3.1.5, 7.6.3.2.4 and 7.6.3.3	Changes to water quality (sediment bound contaminants) in the offshore ECC - operation and decommissioning	In line with comments in row ID 2.1.13 above, the Inspectorate considers that the maintenance activities required for operation are not fully described in the Scoping Report and the parameters are unknown.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Scoping Report paragraph 141 states that it is not yet determined whether cables would be removed on decommissioning of the Proposed Development, or left in situ.</p> <p>It is also noted from Scoping Report paragraph 563 that this matter is scoped in for construction. Further sediment sampling is being undertaken.</p> <p>The Inspectorate does not consider that effects from remobilisation of existing contaminated sediments in the offshore ECC during operation and decommissioning can be scoped out at this stage. The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
356	Table 7-15	Physical barrier effect -construction and decommissioning	The Inspectorate agrees that significant physical barrier effects are unlikely to arise during the construction and decommissioning phases and can be scoped out of the assessment.
357	Table 7-15 and Section 7.6.3.2.5.2	EMF - all phases	This matter is proposed to be scoped out on the basis of an absence of evidence to date that marine mammal activity will change as a result of the presence of increased EMF in the environment from inter-array cables, and the magnetic field intensities reducing with distance from the cable. The Inspectorate is content to scope this matter out of further assessment on this basis.

ID	Ref	Description	Inspectorate's comments
358	Figure 7-16	Management Units (MU)	The ES should also include a further figure presenting the full extent of the relevant marine mammal MU with clear labelling.

ID	Ref	Description	Inspectorate's comments
35.9	Para 545	Impacts from UXO	See comments in Table 2.1 above.
35.10	Para 547	Underwater noise modelling	The Scoping Report states it is expected that the proposed underwater noise modelling will be undertaken using the Southall et al (2019) thresholds. This is the current best practice. The Applicant is advised to seek to agree the underwater noise modelling with relevant consultation bodies, such as the MMO and NE.
35.11	Para 552	Potential impacts – disturbance effects from underwater noise	The Scoping Report confirms that where a dose response curve approach is not possible due to a lack of information, the potential for disturbance will use reported and observed disturbance ranges wherever there is the information to do so, and a review will be undertaken. This approach is welcome. However, it also states that where there is no information on potential disturbance ranges, then Temporary Threshold Shift (TTS) may be used to inform the disturbance assessment as a proxy for disturbance. This approach is not supported by the MMO or advised by NE (see responses at Appendix 2 to this Opinion). The MMO has advised that to quantify the risk of behavioural responses where there are no better alternatives, the Effective Deterrence Ranges (EDRs) in place for noise management in harbour porpoise SACs. The ES should contain an assessment based on an approach which has been agreed with NE and the MMO.
35.12	n/a	Mitigation	Paragraph 211 of the Scoping Report confirms that draft or outline copies of relevant mitigation and management plans will be appended to the ES and/ or submitted with the DCO application as relevant. It is unclear whether these would include a draft Marine Mammal Mitigation Plan (MMMP) or Draft/In Principle Site Integrity Plan. It is recommended that a draft MMMP and Draft/In Principle SIP are provided with the DCO application, as relevant.

3.6 Intertidal and Offshore Ornithology

(Scoping Report Section 7.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
361	Table 7-19	Barrier effect due to presence of wind turbines and other offshore infrastructure on offshore ornithology receptors (including migratory non-seabirds) – construction and decommissioning	The Scoping Report does not explain why barrier effects are to be scoped out of construction or the decommissioning phases. However, the Inspectorate notes the proposed inclusion of an assessment of displacement effects for all phases, and an assessment of both displacement and barrier effects during operation. On this basis, the Inspectorate agrees that an assessment of barrier effects due to presence of wind turbines and other offshore infrastructure on offshore ornithology receptors (including migratory non-seabirds) during the construction and decommissioning phases can be scoped out of the assessment.
362	Table 7-19, Section 7.7.3.1.2 and Section 7.7.3.2.3	Accidental pollution effects on offshore and intertidal receptors – all phases	Based on the information provided on the proposed mitigation and control measures, the Inspectorate agrees that significant effects from accidental release of pollution during all phases are unlikely. The ES should provide full details of the proposed mitigation measures for all project phases and describe how they are to be secured through the dDCO or other legal mechanism.
363	Table 7-19	Collision risk to offshore ornithological receptors (kittiwake, gannet, migratory non-seabirds) – construction and decommissioning	The Inspectorate acknowledges that this potential impact is associated with the presence of operational wind turbines and agrees to scope this matter out of the construction and decommissioning phases.

ID	Ref	Description	Inspectorate's comments
364	Sections 7.7.6, 7.7.3.2.1 and 7.7.3.2.2	Assessment methodologies, including collision risk modelling and displacement/ disturbance assessment	<p>The Inspectorate notes the reference to the Evidence Plan Process (EPP) in the Scoping Report and the limited information provided in the Scoping Report with regards to specific assessment methodologies, acknowledging that this will also depend on the outcomes of the bird surveys.</p> <p>In the context of intertidal and offshore ornithology, the Inspectorate advises that, amongst other matters, effort is made to agree with relevant consultation bodies via the EPP, the assessment methodologies and parameters to be used for the assessment, including collision risk modelling and displacement/ disturbance assessments. The ES and/ or accompanying appendices should detail the methodological approach taken.</p>

3.7 Commercial Fisheries

(Scoping Report Section 7.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
37.1	Paras 693, 698, 704 and Table 7-23	<p>All impacts on mobile gear fleets in the Dogger Bank Byelaw area:</p> <ul style="list-style-type: none"> ▪ Reduction in access to, or exclusion from established fishing grounds; additional steaming to alternative fishing grounds; and physical presence infrastructure leading to gear snagging – all phases; ▪ Additional steaming to alternative fishing grounds for vessels that would otherwise fish within the Offshore Development Area– all phases; and ▪ Physical presence of infrastructure leading to gear snagging – operation and decommissioning. 	<p>On the basis that mobile gear fleets are already prohibited from fishing within the Dogger Bank byelaw area, the Inspectorate agrees that these matters can be scoped out of further assessment.</p>
37.2	Table 7-23	<p>Impacts on all other fleets:</p> <ul style="list-style-type: none"> ▪ Physical presence of infrastructure leading to gear snagging – construction 	<p>The Inspectorate assumes that this impact is only relevant during the operation and decommissioning phases and subject to this assumption being correct, agrees to scope it out of further assessment.</p>

ID	Ref	Description	Inspectorate's comments
373	n/a	n/a`	n/a

3.8 Shipping and Navigation

(Scoping Report Section 7.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
381	Table 7-25	<p>The following impacts during construction and decommissioning:</p> <ul style="list-style-type: none"> ▪ Vessel to structure allision risk for third party vessels; ▪ Reduction in under keel clearance; ▪ Vessel interaction with subsea cables; ▪ Interference with vessel navigation and communication equipment; and ▪ Reduction of emergency response capability. 	<p>The Inspectorate has assumed that these impacts are considered only relevant to the operation phase and subject to this assumption being correct, agrees to scope them out of the ES. The ES should explain the impacts relevant to each project phase, including where impacts are limited to a particular phase of the project.</p>

ID	Ref	Description	Inspectorate's comments
382	Para 748	Safety Zones	<p>The Scoping Report states that Safety Zones of up to 500m will be applied for where a vessel is Restricted in Her Ability to Manoeuvre (RAM) during construction, major maintenance and decommissioning activities. The ES should provide additional information on these safety zones including details of any potential diversions to navigational routes which will be required for existing vessels to avoid the Proposed Development.</p>

ID	Ref	Description	Inspectorate's comments
383	Para 758	Interference with vessel navigation and communication equipment	In line with the advice from Trinity House (Appendix 2 of this Opinion), both shore based and offshore based aids to navigation should be included within this assessment.
384	Para 777 and Table 7-28	Assessment methodology	The Scoping Report proposes to determine significance as either broadly acceptable, tolerable, or unacceptable. The ES should clearly set out how the risk assessment approach leads to an assessment of significance of effect consistent/ compatible with the terminology used in the ES, for which the intended approach is set out in Chapter 5 (Section 5.4) of the Scoping Report.
385	n/a	Future baseline	The ES should identify a future baseline for vessel movements and explain how this has been established, taking into account the existing sea users and numerous proposed projects in the vicinity.
386	n/a	Pre-construction compass deviation study	The Inspectorate notes comments from the Maritime and Coastguard Agency (MCA) (Appendix 2 of this Opinion) regarding the potential impact on ships compasses from HVDC transmission infrastructure required for the Proposed Development. The Applicant should make effort to discuss and agree the timing of the pre-construction compass deviation study and any necessary mitigation measures with the MCA. Where necessary any such study should be completed before submission of the DCO application.
387	n/a	Hydrographic surveys	The Inspectorate highlights to the Applicant the risk of invalidating the Navigational Risk Assessment if the hydrographic surveys do not fulfil the requirements of the International Hydrographic Organisation (IHO) Order 1a standard as required by Marine Guidance Note 654; this guidance should be taken into account. The Applicant is referred to the comments of the MCA in this regard (Appendix 2 of this Opinion).

3.9 Aviation, Radar and Military

(Scoping Report Section 7.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
39.1	Paras 805 and 806 and Table 7-29	Impacts on military and civil radar – all phases	The Scoping Report seeks to scope out impacts on military and civil radar, across all phases of the development, on the basis that Radar Line of Sight (RLoS) modelling suggests that completed wind turbines will not be visible to radar as they will be a minimum of 210km from shore. Onshore elements of the Proposed Development with the potential to impact on radar are also stated to be outside of the EUR Doc 015 recommended safeguarded zone. The Inspectorate agrees that this matter can be scoped out of further assessment.
39.2	Para 816 and Table 7-29	Impacts on radio navigation aids – all phases	The Scoping Report seeks to scope out impacts on radio navigation aids across all phases of the development, on the basis that, whilst infrastructure within the Onshore Scoping Area has the potential to cause interference to the National Air Traffic Services (NATS) Ottringham VOR/DME, it is outside of the EUR Doc 015 recommended safeguarded zone for VOR/DME facilities. On this basis, the Inspectorate is content to scope this matter out.
39.3	Para 821 and Table 7-29	Impact of the offshore export cable route on Staxton Danger Area activities – operation	The Scoping Report proposes to scope this matter out on the basis that the only operational infrastructure within the Staxton Danger Area would be a below sea cable which would not affect aviation activities. On this basis, the Inspectorate is content to scope this matter out.

ID	Ref	Description	Inspectorate's comments
394	Paras 831 and 832	Approach to assessment	The Scoping Report states that the assessment will be supported by further desk-based studies alongside consultations with relevant stakeholders. However, no criteria have been provided to define the significance of effects. The ES should provide clarity on how the assessment has been undertaken, taking account relevant guidance and aspect specific methodology, and detail the methodology used.

3.10 Offshore Archaeology and Cultural Heritage

(Scoping Report Section 7.11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Paras 862 and 867 and Table 7-31	Impacts to the setting of heritage assets and to the historic seascape character - construction and decommissioning	<p>The Scoping Report states that the assessments undertaken in the Teesside A & B ES concluded any changes in setting due to construction activities would be temporary and of sufficiently short duration that they would not give rise to material harm. Similarly, the Scoping Report states that changes to the historic seascape character during construction of the Proposed Development (associated with the presence of installation vessels) would be short term and temporary and would not result into a material change to the character of the historic seascape. Decommissioning impacts are described as similar to those of construction (although likely lower in magnitude).</p> <p>The Inspectorate agrees that any impacts on the setting of heritage assets and historic seascape character from construction and decommissioning of the offshore infrastructure are not likely to result in significant effects. This matter can be scoped out of the ES.</p>

ID	Ref	Description	Inspectorate's comments
3.10.2	Para 836	Study area	<p>The Scoping Report states that the study area corresponds to the footprint within which development activities could occur. The study area used for the purposes of the ES assessment should be sufficient to identify all LSE of the Proposed Development, including any potential effects caused by changes to marine physical processes. The ES should also confirm whether the study area aligns with relevant policy and guidance and provide justification for any divergences.</p>

ID	Ref	Description	Inspectorate's comments
3.103	Para 876	Impacts from UXO	The ES should explain whether there is potential for UXO clearance to impact on heritage assets. The Applicant's attention is drawn to the Inspectorate's comments regarding impacts from UXO in Table 2.1 above.

3.11 Seascape, Landscape and Visual Impact

(Scoping Report Section 7.12)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.11.1	Table 7-34	Seascape, Landscape and Visual Impact (SLVI)	The Applicant proposes that a SLVI aspect assessment is scoped out of the ES in its entirety. The Inspectorate agrees with this approach as detailed in the comments below. A SLVI aspect assessment can be scoped out of further assessment in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.2	Paras 906, 907 and 910 and Table 7-34	Impacts on seascape character – all phases	<p>In seeking to scope out this matter the Scoping Report notes the temporary and localised nature of construction offshore and states that the operational offshore infrastructure is unlikely to impact on the key characteristics of the Dogger Bank Marine Character Area or other Marine Character Areas within the SLVI assessment study area, due to the presence of consented and under-construction offshore wind farms. The Inspectorate agrees that any impacts on seascape character from the offshore infrastructure are not likely to result in significant effects and that this matter can be scoped out.</p> <p>Regarding the onshore infrastructure, Section 7.12 of the Scoping Report (SLVI) (paragraph 905) proposes that impacts on seascape from construction works in the intertidal and inshore areas at the landfall will be assessed within the onshore Landscape and Visual Assessment (LVIA) ES Chapter. However, Section 8.10 of the Scoping Report (Landscape and Visual Impact) does not reference impacts on seascape</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			character, meaning the Applicant's proposed approach is unclear. The Applicant is referred to Table 4.9 below.
3.11.3	Paras 906, 908 and 910 and Table 7-34	Impacts on landscape character and designated landscapes – all phases	Taking into account the nature and duration of the offshore export cable installation works and the intervening distance between the land area and the other proposed offshore infrastructure, the Inspectorate agrees that significant effects on landscape character and designated landscapes from the proposed offshore infrastructure are not likely. This matter can be scoped out of further assessment.
3.11.4	Paras 906, 909 and 910 and Table 7-34	Impacts on visual receptors – all phases	The Scoping Report states that there will be no visibility of the proposed offshore infrastructure from the coast, due to the minimum intervening distance of approximately 210km. The offshore infrastructure would be visible from transient visual receptors (eg ships), but the Inspectorate agrees that such receptors would be of low susceptibility to changes in views. The Inspectorate agrees that any impacts on visual receptors from the offshore infrastructure are not likely to result in significant effects and this matter can be scoped out.
3.11.5	Para 911 and Table 7-34	Cumulative impacts - all phases	The Scoping Report states that given the seascape characteristics of the area and the low sensitivity of potential seascape and visual receptors, any cumulative impacts would not be significant. The Inspectorate agrees that significant cumulative effects are unlikely and that this matter can be scoped out of further assessments.
3.11.6	Para 913 and Table 7-34	Transboundary impacts – all phases	As noted under Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, given that no LSE are predicted, the Inspectorate agrees that impacts on the environment of EEA States are unlikely. This matter can be scoped out of further assessment in the ES.

ID	Ref	Description	Inspectorate's comments
3.11.7	n/a	n/a	n/a

3.12 Other Marine Users

(Scoping Report Section 7.13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Paras 947, 948, 959, 960 and 964 and Table 7-38	Impacts on disposal sites – all phases	The Scoping Report proposes to scope this matter out on the premise that the Proposed Development area does not overlap with any active disposal sites and vessel traffic will be covered in the ES Shipping and Navigation chapter. On this basis, the Inspectorate agrees to scope this matter out.
3.122	Paras 949, 961 and 964 and Table 7-38	Impacts on aggregate sites – all phases	The Scoping Report proposes to scope this matter out on the premise that there is no overlap of aggregate licence areas with the Offshore Scoping Area and any dredger transit conflicts will be covered within the ES Shipping and Navigation chapter. On this basis, the Inspectorate is content to scope this matter out.
3.123	Paras 950, 962 and 964 and Tables 7-38 and 12-1	Impacts on Ministry of Defence (MoD) activities – all phases	<p>Paragraph 950 of the Scoping Report proposes to scope this matter out on the basis that, although there will be overlap between the Proposed Development boundary and a number of Practice and Exercise Areas (PEXA), this overlap will be in the offshore ECC and so the movement of vessels within it is not expected to affect any high altitude air combat training activities. However, this is contradictory to the information provided in Scoping Report paragraph 812 within the aviation, radar and military section, which states that “<i>Vessels and personnel engaged in cable installation could interfere with military training activities</i>”.</p> <p>Furthermore, Table 12-1 shows impacts on MoD activities as scoped in for construction and decommissioning which is in contradiction to the information contained within Table 7-38.</p> <p>The Applicant's proposed approach is unclear and the Inspectorate is therefore not in a position to scope this matter out. The ES should</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			provide an assessment of impacts on MoD activities where significant effects are likely to occur, or information demonstrating agreement with the MoD and the absence of a LSE.
3.124	Section 7.13.3.2.2 and Table 7-38	Potential interference with oil and gas activities - operation	<p>The Scoping Report Proposes to scope this matter out on the basis that the impacts will be assessed in other ES chapters (Shipping and Navigation; and Aviation, Radar and Military). The Inspectorate agrees that this matter can be scoped out of further assessment in the ES Other Marine Users chapter.</p> <p>The ES should provide clear cross-referencing to where the relevant impacts are considered.</p>
3.125	Para 957 and Table 7-38	Physical impacts on sub-sea cables and pipelines - operation	The Scoping Report proposes to scope out this matter on the basis that if cables require maintenance, standard industry techniques would be followed to ensure that other operators' cables are not impacted. Limited information has been provided in the Scoping Report regarding the operation and maintenance activities that are to be carried out. As such, the Inspectorate is not in a position to scope this matter out.
3.126	Para 958 and Table 7-38	Impacts on Carbon Capture Storage (CCS) sites - operation	<p>The Scoping Report proposes to scope this matter out on the basis that the effects of permanent structures can be mitigated during the construction phase via consultation with the CCS operators and effects from vessel movements are to be assessed in the ES Shipping and Navigation chapter. Limited information has been provided on the nature of potential effects and mitigation. As such, the Inspectorate is not in a position to scope this matter out.</p> <p>The ES should include an assessment of impacts on CCS sites from permanent structures, where significant effects are likely to occur, or provide evidence demonstrating agreement with relevant consultation bodies that the matter can be scoped out and the absence of LSE. The</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			ES should provide details of any mitigation relied on and how it is secured through the dDCO or other legal mechanism.

ID	Ref	Description	Inspectorate's comments
3.127	Para 937	Impacts from UXO	See comment in Table 2.1 above

3.13 Offshore Air Quality

(Scoping Report Section 7.14)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.131	Table 7-40 and para 989	Offshore Air Quality	The Applicant proposes that an Offshore Air Quality aspect assessment is scoped out of the ES in its entirety. The Inspectorate agrees with this approach as detailed in the comments below. An Offshore Air Quality aspect assessment can be scoped out of further assessment in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.132	Table 7-40 and para 989	Offshore air quality impacts on human and ecological receptors – all phases	The Inspectorate agrees that this matter may be scoped out of further assessment in the ES on the basis that the main source of emissions would be exhaust emissions from vessels, temporary generators and, due to the nature and location of the Proposed Development, associated vessel movements and temporary generators would only generate a small increase in emissions, which is unlikely to result in significant effects on human and ecological receptors.
3.133	Table 7-40 and para 990	Cumulative effects – all phases	The Inspectorate agrees that due to the nature and location of the Proposed Development it is unlikely that offshore air emissions would combine with other offshore proposals to result in significant cumulative effects. This matter can therefore be scoped out of further assessment in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.134	Table 7-40 and para 991	Transboundary effects – all phases	<p>The Applicant proposes to scope this matter out on the basis that although the array area is located adjacent to Dutch Territorial Water, it is unlikely that exhaust emissions from project related vessels would give rise to any significant transboundary effects.</p> <p>As noted under Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, the Inspectorate agrees that this matter may be scoped out on the basis that due to the nature of the Proposed Development associated vessel movements would only generate a negligible increase in emissions in all phases which is unlikely to result in significant transboundary effects.</p>

ID	Ref	Description	Inspectorate's comments
3.135	n/a	n/a	n/a

3.14 Offshore Airborne Noise

(Scoping Report Section 7.15)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.14.1	Table 7-41	Offshore Airborne Noise	The Applicant proposes that an Offshore Airborne Noise aspect assessment is scoped out of the ES in its entirety. The Inspectorate agrees with this approach as detailed in the comments below. An Offshore Airborne Noise aspect assessment can be scoped out of further assessment in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.2	Table 7-41	Offshore airborne noise impacts on human, intertidal and offshore ornithology, marine ecological receptors and coastal receptors – all phases	<p>The Scoping Report proposes that impacts from noise are considered in the following ES chapters:</p> <ul style="list-style-type: none"> ▪ Chapter 7.7 (Intertidal and Offshore Ornithology) – impacts from airborne noise on intertidal and offshore ornithology receptors; ▪ Chapters 7.4 (Benthic and Intertidal Ecology); 7.5 (Fish and Shellfish Ecology); and 7.6 (Marine Mammals) – impacts from underwater noise on marine ecological receptors; and ▪ Chapter 8.8 (Onshore Noise and Vibration) – impacts from airborne noise from nearshore construction activities on coastal receptors. <p>On the basis of the above, the information presented in sections 7.15.4 7.15.4.1 and 7.15.4.2 of the Scoping Report concerning the offshore activities that would generate airborne noise, and the distance of these activities from the nearest onshore receptors (at approx.140km), the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Inspectorate agrees that offshore airborne noise can be scoped out of further assessment in the ES.</p> <p>The ES should provide clear cross-referencing to where the relevant impacts are considered.</p>
3.14.3	Table 7-41 and para 1011	Cumulative effects – all phases	The Inspectorate considers that due to the nature and location of the Proposed Development it is unlikely that offshore airborne noise emissions from it would combine with other offshore proposals to result in significant cumulative effects. This matter can therefore be scoped out of further assessment in the ES.
3.14.4	Table 7-41 and para 1012	Transboundary effects – all phases	<p>The Applicant proposes to scope this matter out on the basis that although the Array Area is located adjacent to Dutch Territorial Waters, it is unlikely that noise emissions from project vessels and offshore construction, operation and maintenance and decommissioning works would give rise to any significant transboundary effects.</p> <p>As noted in Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, given that no LSE are predicted, the Inspectorate agrees that impacts on the environment of EEA States are unlikely. The Inspectorate agrees that this matter may be scoped out of further assessment in the ES.</p>

ID	Ref	Description	Inspectorate's comments
3.14.5	n/a	n/a	n/a

4. ENVIRONMENTAL ASPECT COMMENTS - ONSHORE

4.1 Geology and Ground Conditions

(Scoping Report Section 8.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
4.1.2	Table 8-1	Source Protection Zones (SPZ) of private groundwater abstractions	The Scoping Report states that <i>"If private groundwater abstractions are present, a 50m SPZ 1 would be enforced around the abstraction"</i> . The ES should provide a justification for this approach and explain why it is appropriate to use a specified distance when each possible abstraction would have specific characteristics such as permitted volume, borehole depth and geological information.
4.1.3	Section 8.2.3.1.2	Impacts to groundwater	The ES should identify potential impacts on groundwater quality as a result of saline intrusion (for example, resulting from dewatering activities) and provide an assessment of any LSE. Cross-reference can be made to the Water Resources and Flood Risk ES assessment to avoid duplication.

4.2 Onshore Air Quality and Dust

(Scoping Report Section 8.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
421	Paras 1074 and 1075 and Table 8-4	Emissions of dust on human and ecological receptors - operation	The Scoping Report states that activities associated with the operation and maintenance of the onshore elements of the Proposed Development are unlikely to generate dust and therefore this phase of the development is unlikely to result in significant effects. The Inspectorate agrees that these activities can be scoped out of the assessment based on the information provided.
422	Paras 1072 to 1075 and Table 8-4	Emissions from plant and machinery on human health and ecological sites - operation	<p>The Inspectorate considers that the information in the Scoping Report on the likely emissions to air during operation and the receptors which could be affected is limited. The Inspectorate also notes that back-up generators have the potential to result in air quality effects during the operational phase.</p> <p>Accordingly, the Inspectorate does not agree that these matters can be scoped out. The ES should provide an assessment of these matters where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE. Cross-reference should be made to the assessments of effects on ecology and on human health.</p>
423	Para 1074 and Table 8-4	Emissions from road traffic on human health and ecological sites - operation	The Inspectorate agrees it is unlikely that road traffic associated with operation and management activities would result in significant effects in respect of air quality. However, the ES should confirm that the anticipated road vehicle movements are below the Institute of Air Quality Management (IAQM) and Environmental Protection UK (EPUK)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			screening values, and if values are exceeded then an assessment of LSE should be provided.
424	Section 8.3.4 and Table 8-4	Cumulative effects - operation	The Inspectorate considers that the Scoping Report has provided insufficient detail regarding the rationale for scoping out cumulative effects during operation. In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter out from the assessment. The ES should include an assessment of this matter or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
425	Paras 1071 and 1077	Impacts	Impacts from ammonia emissions from road traffic during construction and decommissioning should be assessed in the ES where significant effects are likely to occur. The Applicant's attention is drawn to the scoping consultation response from NE in this regard (Appendix 2 of this Opinion).
426	Para 1083	Baseline data collection	The Scoping Report states that it is not proposed to collect any primary air quality data sets for the assessment as it is expected there will be sufficient data from monitoring undertaken by the relevant local authorities. Effort should be made to agree the requirement for any additional baseline survey data with the relevant consultation bodies. The assessment in the ES should be carried out with reference to a robust baseline position reflecting the relevant study area, including an understanding of relevant pollutant concentrations. Where required,

ID	Ref	Description	Inspectorate's comments
			further monitoring should be conducted to supplement available data taken from the relevant local authorities monitoring.
427	n/a	Study area	The ES should include a figure(s) to identify the final study areas for each element of the air quality assessment, including the location of human and ecological receptors that have been considered. The Applicant's attention is drawn to NE's scoping consultation response (Appendix 2 of this Opinion) regarding the consideration of impacts of dust during construction on designated sites within 200m of a dust source.

4.3 Water Resources and Flood Risk

(Scoping Report Section 8.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
431	Para 1139 and Table 8-7	Direct disturbance of surface water bodies - operation	The Scoping Report proposes to scope this matter out on the basis that post-construction, there will be no mechanisms by which elements of the Proposed Development could directly disturb water bodies. The Inspectorate agrees that significant effects are not likely and that this matter can be scoped out of the ES.
432	Para 1139 and Table 8-7	Increased sediment supply - operation	The Scoping Report proposes to scope out the effects of increased sediment supply during operation. Considering the information contained within paragraph 1139 and given that fine sediment supply from maintenance activities during operation will be included in the supply of contaminants to surface and groundwater impact assessment, the Inspectorate considers that this matter can be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
433	Para 1151	Water Framework Directive (WFD)	<p>Paragraph 1151 of the Scoping Report details that the ES will be supported by a Water Environment Regulations (WER) Compliance Assessment which would assess impacts on all onshore water bodies crossed by the Proposed Development, and coastal water bodies out to one nautical mile. Groundwater bodies have not been referred to. For the avoidance of doubt, an assessment should also assess impacts to any relevant WFD groundwater bodies.</p> <p>The Applicant's attention is drawn to the Inspectorate's Advice Note Eighteen: The WFD in this regard. The ES should explain the relationship</p>

ID	Ref	Description	Inspectorate's comments
			between the Proposed Development and any relevant water bodies in relation to the current relevant River Basin Management Plan.
434	n/a	Water demands during construction	Given the current water availability issues within the Humber area, the Applicant's attention is drawn to the EA's scoping consultation response (Appendix 2 of this Opinion) with regard to ensuring that the water demands during the construction phase and the impacts to the water environment are considered.
435	Section 8.4.3.1.2 and Table 8-7	Supply of contaminants to surface and groundwater	The assessment of supply of contaminants to surface and groundwater should consider the risk and impacts of pollutants resulting from potential fires at the OCS(s).
436	Section 8.4.2.1, 8.4.2.2 and 8.4.3.1	Water quality impacts at designated sites	The ES should assess the potential for impact to designated sites through surface water run-off from the development site, this should include the potential for increased nutrient and other pollutants input. Appropriate mitigation should be provided for designated sites hydrologically linked to the site. The Applicants attention is drawn to NE's scoping consultation response (Appendix 2 of this Opinion) regarding designated sites that are within close proximity and are potentially hydrologically linked to the Proposed Development site.
437	Para 1131	Impacts of drilling fluid	<p>The ES should include assess impacts from drilling fluid breakout during HDD works on water resource receptors, where significant effects are likely to occur.</p> <p>The Applicant's attention is drawn to the EA's scoping consultation response (Appendix 2 of this Opinion) with regard to the provision of a Bentonite Breakout Plan within the ES.</p>

4.4 Soils and Land Use

(Scoping Report Section 8.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	Para 1180 and Table 8-10	Disruption to farming practices (soil heating) – all phases	The Scoping Report proposes to scope this matter out on the basis that the electrical system will be designed to minimise heat loss to a level which is unlikely to affect crop growth. The Inspectorate agrees that significant effects are not likely and this matter can be scoped out of the ES.
4.4.2	Para 1181 and Table 8-10	Soil degradation and erosion - operation	The Scoping Report states that soil degradation and erosion is not likely to occur given the reinstatement that will take place following construction. The Inspectorate agrees that the Proposed Development is unlikely to impact on soil resources through degradation and erosion during operation. This matter can be scoped out of the ES.
4.4.3	Para 1183	Impacts on land associated with Stewardship and land management schemes from the landfall and within the onshore ECC - operation	The Scoping Report proposes to scope this matter out on the basis that land located at the landfall and within the onshore ECC would be reinstated following construction and is unlikely to be significantly impacted as a result of the operation phase. The Inspectorate agrees with this justification and that this matter can be scoped out.
4.4.4	Para 1184 and Table 8-10	Existing utilities - operation	The Scoping Report proposes to scope this matter out on the basis that any maintenance works required during the operation of the Proposed Development would be undertaken following consultation with potentially affected utility providers, with the location of existing services identified prior to commencement of any works. On this basis, the Inspectorate agrees that significant effects are unlikely to occur and this matter can be scoped out of further assessment in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
445	Para 1186	Public Rights of Way (PRoW), Cycle Routes and Countryside and Rights of Way (buried infrastructure) - operation	The Scoping Report proposes to scope this matter out on the basis that buried infrastructure is not likely to have an impact on PRoW, Cycle Routes and Countryside and Rights of Way during operation. No long-term diversions of these routes are anticipated. On this basis, the Inspectorate agrees that this matter can be scoped out of the ES.

ID	Ref	Description	Inspectorate's comments
446	Para 1178	Impacts to agricultural land	<p>The Scoping Report states that the presence of infrastructure within the OCS Zone and other above ground infrastructure will result in the long-term loss of land, including the potential loss of Best and Most Versatile (BMV) agricultural land.</p> <p>The Applicant's attention is drawn to the Written Ministerial Statement (UIN HCWS466) issued on 15th May 2024. The ES should contain a clear tabulation of the areas of land in each BMV classification to be temporarily or permanently lost as a result of the Proposed Development, with reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided.</p>

4.5 Onshore Ecology, Ornithology and Nature Conservation

(Scoping Report Section 8.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
45.1	n/a	n/a	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
452	Section 8.6.1	Study area and Zol	The ES should clearly define and justify the study area for each ecological receptor, with reference to the Zol for the Proposed Development.
453	Section 8.6.2.3, Figure 8-19 and Table 8-16	Receptors – fish	<p>The Onshore Ecology, Ornithology and Nature Conservation Section of the Scoping Report does not identify fish species as an ecological receptor or consider potential impacts to fish. The need or otherwise to undertake surveys for fish or suitable habitat for fish is not identified in Table 8-16. The Inspectorate notes records of 'fish' are shown on Figure 8-19, but not described further. The EA in its response at Appendix 2 to this Opinion identifies that European smelt, brown/sea trout, bullhead and juvenile lamprey have been recorded in the River Hull. Fish species are also qualifying features of the Humber Estuary SAC. There are also several drains and ditches throughout the onshore ECC that may support fish species.</p> <p>The ES should assess impacts to fish where significant effects are likely to occur, supported by desk study information and surveys as necessary. If onshore cable crossings of waterbodies form part of the Proposed Development, the assessment should include impacts from operational EMF where significant effects are likely to occur. Effort should be made</p>

ID	Ref	Description	Inspectorate's comments
			to agree the methodology with relevant consultation bodies, such as the EA.
454	Section 8.6.3.1	Potential impacts - construction	<p>The Scoping Report contains limited detail on the likely potential impacts to be assessed at this stage. The ES should include an assessment of construction phase effects on important ecological features such as those arising from air quality changes (due to vehicles and dust deposition), noise and visual disturbance, and as a result of hydrological linkages, where LSE could occur. The ES should provide details of the proposed mitigation measures to be included in management plans, such as an Ecological Management Plan, and explain how such measures will be secured.</p> <p>Appropriate cross-referencing to the assessments in other relevant ES chapters such as Onshore Air Quality and Dust and Water and Flooding should be included.</p>
455	Section 8.6.3.1 and Section 3.4.4	Potential impacts - trenchless crossings	<p>See also the Inspectorate's comment in Table 2.1 above regarding trenchless crossings.</p> <p>Where HDD will be employed, the ES should assess impacts, such as from drilling fluid breakout and/ or noise and vibration, where significant effects are likely to occur. Should this have the potential to impact on sensitive ecological receptors, such as fish and other freshwater species or sensitive habitats, appropriate mitigation should be described in the ES and appropriately secured through the dDCO or other legal mechanism.</p> <p>The Applicant's attention is drawn to the EA's scoping consultation response (Appendix 2 of this Opinion) with regard to the provision of a Bentonite Breakout Plan within the ES.</p>

ID	Ref	Description	Inspectorate's comments
456	Section 8.6 and Table 8.16	Bird surveys, including functionally linked land (FLL)	<p>The ES should include an assessment of impacts on ornithological receptors using FLL, where LSE could occur. This should be informed by appropriate bird surveys and include consideration of noise and visual disturbance, where LSE could occur.</p> <p>The Inspectorate advises that, amongst other matters, effort is made to agree with relevant consultation bodies via the EPP the scope of the proposed bird surveys, including the methodologies for data collection. The Applicant's attention is also directed to the comments of NE at Appendix 2 of this Opinion in respect to bird surveys, FLL and noise and visual disturbance.</p>
457	n/a	Confidential Annexes	<p>Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.</p>

4.6 Onshore Archaeology and Cultural Heritage

(Scoping Report Section 8.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	Table 8-17 and paras 1278 and 1282	Physical impacts to designated, known and unknown non-designated heritage assets – operation	<p>The Scoping Report states that there is limited potential for physical impacts to below ground heritage assets during operation, however no evidence is provided in relation to hydrological changes that may extend into the operational phase or in relation to heating effects from electrical infrastructure.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate is not in a position to agree to scope this matter out from the assessment at this stage. The ES should include an assessment of physical impacts from changes in preservation conditions during operation, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
4.6.2	Table 8-17 and para 1283	Physical impacts to designated, known and unknown non-designated heritage assets – decommissioning	<p>The Scoping Report states that there would be limited potential for further physical impacts to onshore heritage assets during the decommissioning phase, as these impacts would have occurred during the construction phase.</p> <p>The Inspectorate is content that physical impacts on above ground heritage assets during decommissioning can be scoped out. However, the Inspectorate considers that there is potential for decommissioning stage impacts on buried archaeological resource, such as the potential for harm due to compaction, or potential changes in drainage patterns.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate is not in a position to agree to scope this matter out from the assessment.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Accordingly, the ES should include an assessment of effects on buried archaeology during decommissioning, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.
4.63	Table 8-17 and para 1283	Change to the setting of historic landscapes, which could affect their heritage significance – decommissioning	<p>The locations of principal development components within the application site (for example the landfall and the OCS(s)) have not yet been confirmed. The Inspectorate also notes that decommissioning impacts are described as similar (although likely lower in magnitude) to those from construction, which is scoped into the assessment.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope this matter out from the assessment. The ES should include an assessment of impacts on the setting of historic landscapes (both from land and sea) during decommissioning, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>

ID	Ref	Description	Inspectorate's comments
4.64	Section 8.7.7	Assessment methodology	The ES should clearly explain what aspect-specific criteria have been used to define receptor value/ sensitivity and magnitude of change for the archaeology and cultural heritage assessment. The approach to determining how these combine to inform the conclusions on the significance of effects should also be described.
4.65	Paragraph 1262	Peat deposits – approach to assessment	The Inspectorate notes there is potential for peat deposits within the low-lying areas of the East Riding. The ES should describe the methodology that will be used to establish the location of these deposits and any

ID	Ref	Description	Inspectorate's comments
			heritage assets associated with them, and the approach to the assessment of LSE.
466	Section 8.7.3	Potential impacts	Potential impacts on cultural heritage remains associated with World War One and World War Two should be assessed where significant effects are likely. The Applicant should make effort to discuss and agree these details with relevant consultation bodies.
467	Section 8.7.3	Impacts to setting	The Zone of Theoretical Visibility developed for the LVIA assessment should be used to confirm which heritage assets may experience visual impacts from the Proposed Development. The assessment should be supported by appropriate visualisations such as photomontages to help illustrate the likely impacts of the Proposed Development. Effort should be made to agree appropriate viewpoint locations for such visualisations with relevant consultation bodies including local authorities and Historic England. Cross-reference can be made to the LVIA ES assessment to avoid duplication.

4.7 Onshore Noise and Vibration

(Scoping Report Section 8.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
47.1	Para 1336 and Table 8-21	OCS(s) and associated infrastructure vibration effects at Noise and Vibration Sensitive Receptors (NSVR) – operation	<p>The Scoping Report states that all onshore plant with potential to emit high levels of vibration will be isolated from the ground meaning any vibration transmitted into the ground would be negligible. It is further stated that as the vibration level would be negligible at source, it would be orders of magnitude less than what would be expected to give rise to significant effects at a NVSR. Details of the likely vibration emissions associated with operation of the OCS(s) and associated infrastructure are currently limited, additionally the confirmed location of the OCS(s) is currently unknown and therefore the proximity of this facility to sensitive receptors.</p> <p>In the absence of information such as evidence demonstrating clear agreement with relevant statutory bodies, the Inspectorate is not in a position to agree to scope these matters out from the assessment. The ES should include an assessment of these matters or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>
47.2	Para 1329, 1330, 1337 and Table 8-21	Road traffic vibration effects at NVSR - all phases	<p>The Inspectorate notes the Applicant's rationale for the scoping out of road traffic vibration at NSVR. In the absence of information such as the anticipated number and type of vehicles and evidence demonstrating clear agreement with relevant consultation bodies, the Inspectorate is not in a position to agree to scope these matters out from the assessment. The ES should include an assessment of road traffic vibration effects at NVSR or the information referred to demonstrating agreement with the relevant consultation bodies and the absence of a LSE.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
47.3	Section 8.8.2.1.5	Noise and vibration effects from offshore construction at onshore NVSR	The Inspectorate agrees that given the offshore infrastructure will be circa 210km from the shore and any onshore NVSR's, this matter can be scoped out of the assessment, as significant effects from noise and vibration over this distance are unlikely to occur.
47.4	Para 1334	Noise impacts associated with operation of the buried infrastructure at the landfall site and along the onshore ECC	The Inspectorate agrees that once buried, there is unlikely to be any significant noise effects from buried infrastructure, and this matter can be scoped out of further assessment.

ID	Ref	Description	Inspectorate's comments
47.5	Para 1311 and Table 8-20	Ecological receptors	The Inspectorate notes that there is limited reference within this section of the Scoping Report to other receptor types which may be sensitive to noise and vibration, such as ecological receptors. The Inspectorate welcomes the consideration of noise and vibration effects on ecological receptors within Scoping Report Section 8.6 (Onshore Ecology, Ornithology and Nature Conservation). The sensitivity of ecological receptors to noise and vibration should be clearly defined and the ES should clearly explain any assumptions made regarding the assessment of LSE arising from noise and vibration on ecological receptors. The Onshore Noise and Vibration ES assessment should cross-refer to the findings of other relevant ES assessments, such as Onshore Ecology, Ornithology and Nature Conservation, to avoid duplication.

4.8 Traffic and Transport

(Scoping Report Section 8.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	Paras 1415 and 1430 and Table 8-28	Hazardous loads – all phases	<p>The Scoping Report seeks to scope out a separate assessment of hazardous loads and instead seeks to use a road safety assessment to investigate the types of vehicles involved in collisions to understand if there are areas where vehicles transporting hazardous loads may be at greater risk. Paragraph 1415 of the Scoping Report states for construction, “<i>it is not envisaged that there would be a significant number of movements of hazardous loads and that such loads would likely comprise of fuel deliveries for plant as well as batteries (or other ESBI technology as required)</i>”, and paragraph 1430 notes the potential infrequent replacement of batteries (or other ESBI technology, where required).</p> <p>The Inspectorate agrees that a separate assessment of hazardous loads does not need to be prepared, however the ES should provide clarification regarding the potential number of hazardous loads and where there is potential for hazardous loads that could give rise to significant effects, an assessment should be undertaken and presented in the ES. Additionally, the road safety assessment should provide information on how the routes of hazardous loads may be amended in light of findings regarding collision sites.</p>
4.8.2	Para 1427, 1428, 1429, 1430 and Table 8-28	Traffic impacts during operation (onshore activities) <ul style="list-style-type: none"> ▪ Severance; ▪ Amenity; 	The Scoping Report seeks to scope out traffic impacts relating to maintenance of the onshore substations during operation, on the basis that maintenance checks will be infrequent and subject to low vehicle demand. With the exception of hazardous loads (please see point above), the Inspectorate agrees that significant effects are unlikely and is content to scope these matters out of the ES. The description of the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		<ul style="list-style-type: none"> ▪ Fear and Intimidation; ▪ Driver delay (capacity); ▪ Driver delay (highway constraints); ▪ Abnormal loads; and ▪ Cumulative impacts. 	<p>Proposed Development in the ES should explain the anticipated type and number of vehicle movements to provide confidence for excluding these matters from more detailed assessment.</p>
4.8.3	Para 1405, 1437, 1438 and 1451	Onshore impacts of traffic and transport associated with offshore construction, operation and maintenance, decommissioning and any associated cumulative effects	<p>The Scoping Report states that the preferred base port (or ports) for the offshore construction of the Proposed Development is not known, and any decision would not be expected until post-consent. It is also stated that such facilities would typically be provided or brought into operation by means of one or more planning applications or as port operations with permitted development rights. On this basis, the Applicant is seeking to scope out the onshore impacts of the traffic and transport associated with offshore construction, operation and maintenance decommissioning and any associated cumulative effects.</p> <p>The Inspectorate notes that paragraph 1451 of the Scoping Report states that as a worst-case scenario it is assumed that the majority of construction traffic would be by road, albeit, potentially originating from one of the existing ports or rail freight facilities. Given that the base port (or ports) is not currently known, and in the absence of the anticipated type and number of road vehicle movements, potential impacts are not fully understood. The Inspectorate does not agree to scope this matter out from the assessment. Accordingly, the ES should include an assessment of these matters, or evidence demonstrating agreement with the relevant consultation bodies and the absence of LSE.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
484	Para 1431, 1432 and 1433	Decommissioning phase assessment	<p>The Scoping Report states that no decision has been made regarding the final decommissioning policy for the infrastructure within the OCS Zone, as it is recognised that industry best practice, rules and legislation change over time. The Scoping Report anticipates that decommissioning impacts would be similar in nature to those of construction and that the magnitude of effects from decommissioning would be lower than that of construction impacts. On this basis the Applicant proposes that the construction phase assessment serves as a 'proxy' for the decommissioning phase and no additional assessment is undertaken.</p> <p>In the absence of information to demonstrate that decommissioning of the Proposed Development would not lead to significant effects in terms of Traffic and Transport, the Inspectorate does not agree to scope this matter out. The ES should include an assessment of these matters or provide information demonstrating agreement with the relevant consultation bodies and the absence of an LSE.</p>

ID	Ref	Description	Inspectorate's comments
485	Para 1405, 1406 and 1407	Impacts to rail infrastructure	Paragraph 1405 of the Scoping Report identifies port and rail freight terminals to the south of the study area which could provide the potential for the import/ export of Project cargoes to the wider study area by road. The ES should include an assessment of any potential disruption to the railway network, where LSE could occur.
486	n/a	Consultation with key stakeholders	The Applicants attention is drawn to Hull City Council's scoping consultation response (Appendix 2 of this Opinion) regarding the study area, receptors, data sources and the requirement for a Construction Port Traffic Management Plan. Effort should be made to agree the study area,

ID	Ref	Description	Inspectorate's comments
			receptors, scope of assessment and data sources utilised with relevant consultation bodies including the Local Planning Authorities.

4.9 Landscape and Visual Impact

(Scoping Report Section 8.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	Table 8-34 and section 8.10.3.2	Impacts to landscape character, designated landscapes and visual receptors (resulting from the landfall and onshore export cables) – operation and decommissioning	<p>The Scoping Report assumes that, at decommissioning, the onshore export cables will be removed without need for re-excavation. On this basis, the Inspectorate agrees that impacts during the temporary decommissioning of the landfall and onshore export cables are not likely to result in significant effects on landscape and visual receptors. This matter can be scoped out of further assessment.</p> <p>The Inspectorate is content that significant effects on landscape character, designated landscapes and visual receptors are not likely to arise from operation of the landfall and buried onshore export cables and agrees that these matters can be scoped out of the ES.</p> <p>However, the Inspectorate advises that consideration should be given to the potential for operational phase effects to landscape character, designated landscapes and visual receptors as a result of any planting restrictions imposed by easements. The ES should assess any LSE.</p>
4.9.2	Table 8-34	Cumulative impacts (resulting from the landfall and onshore export cables) - operation and decommissioning	<p>The Inspectorate is content that cumulative impacts on landscape and visual receptors during operation and decommissioning of the landfall and onshore export cables are not likely to result in significant cumulative effects. This matter can be scoped out of further assessment.</p>
4.9.3	n/a	Impacts on seascape character (resulting from the landfall and onshore export cables) – all phases	<p>Section 7.12 of the Scoping Report (SLVI) (paragraph 905) proposes that impacts on seascape from construction works in the intertidal and inshore areas at the landfall will be assessed within the onshore LVIA ES Chapter. However, Section 8.10 of the Scoping Report (Landscape and</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Visual Impact) does not reference impacts on seascape character, meaning the Applicant's proposed approach is unclear.</p> <p>The Inspectorate is therefore not in a position to agree that impacts on seascape character during construction of the landfall and onshore export cable can be scoped out of the onshore LVIA ES Chapter. The ES should assess potential impacts on seascape character from construction of the landfall and onshore export cable, or include information to demonstrate agreement with the relevant consultation bodies and the absence of a LSE.</p> <p>The Inspectorate is content that impacts on seascape character during operation and decommissioning of the landfall and onshore export cables are not likely to result in significant effects and can be scoped out.</p>

ID	Ref	Description	Inspectorate's comments
494	Para 1475	Viewpoints and visualisations	<p>Proposed locations for viewpoints and visualisations have not been provided in the Scoping Report. Effort should be made to agree the number and location of viewpoints, as well as the locations for visualisations, with relevant consultation bodies including local authorities and Historic England.</p>

5. ENVIRONMENTAL ASPECT COMMENTS – PROJECT WIDE TOPICS

5.1 Human Health

(Scoping Report Section 9.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.1.1	Para 1521 and Table 9-4	Offshore and onshore impacts to housing – all phases	The Scoping Report proposes to scope these matters out on the basis that no new housing will be required to support the workforce, temporary accommodation requirements would be met with the usual capacity around ports and the onshore infrastructure and built form will have limited effect on housing value and affordability. The Inspectorate agrees that the accommodation needs of the Proposed Development and its impact on local housing are unlikely to result in significant effects, as such these matters can be scoped out.
5.1.2	Para 1523 and Table 9-4	Offshore impacts to open space, leisure and play – all phases	The Scoping Report proposes to scope this matter out on the basis that it is considered unlikely that shipping or port activities associated with the Proposed Development would have a significant effect on nearshore recreation, leisure or play. The Inspectorate agrees that shipping or port activities associated with the project are unlikely to result in a significant effect upon nearshore recreational users. This matter can be scoped out of the ES.
5.1.3	Para 1554 and Table 9-4	Onshore impacts to open space leisure and play - operation	The Scoping Report proposes to scope this matter out on the basis that land take for onshore activities is not anticipated to be within, or adjoining, land that is publicly accessible and used for recreation, leisure or play and is therefore unlikely to significantly affect physical, mental or social health aspects of community recreation. The Inspectorate agrees

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			that significant effects are not likely to occur. This matter can be scoped out of the ES.
5.14	Para 1525 and Table 9-4	Offshore impacts to transport modes, access and connections – all phases	<p>The Scoping Report proposes to scope this matter out on the basis that, whilst a project port has not been determined, it is assumed that an existing major port would be selected with appropriate existing consents that have taken transport, noise and air quality impacts into account and port expansion is not part of the Proposed Development.</p> <p>On the basis that a port with the aforementioned consents is selected as the project port, the Inspectorate agrees that significant effects are unlikely to occur. This matter can be scoped out of the ES.</p>
5.15	Para 1556 and Table 9-4	Onshore impacts to transport modes, access and connections - operation	The Scoping Report proposes to scope this matter out on the basis that the onshore infrastructure is expected to have minimal implications for road transport. Therefore, it is unlikely that there would be the potential for significant population health effects resulting from impacts to transport modes, access and connections during operation. The Inspectorate agrees that significant effects are not likely to occur. This matter can be scoped out of the ES.
5.16	Para 1527 and Table 9-4	Offshore and onshore impacts to community safety – all phases	The Inspectorate agrees that the Proposed Development is unlikely to result in significant effects on community safety, this matter can be scoped out of the ES.
5.17	Para 1528 and Table 9-4	Offshore impacts to community identity, culture, resilience and influence – all phases	The Scoping Report proposes to scope this matter out on the basis that offshore visual impacts are not expected to occur and demographic changes that could affect human identity are not anticipated. The Inspectorate agrees that significant effects are not likely to occur. This matter can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.1.8	Para 1529 and Table 9-4	Onshore impacts to community identity, culture, resilience and influence – construction and decommissioning	The Scoping Report proposes to scope this matter out on the basis that any visual impacts are not expected to be of a scale that could affect population health outcomes, community identity, or disrupt community gatherings. The Inspectorate agrees that significant effects are not likely to occur. This matter can be scoped out of the ES.
5.1.9	Paras 1534, 1564, 1565 and 1585 and Table 9-4	Offshore and onshore impacts to unemployment or adverse economic implications – all phases	The Scoping Report states that significant unemployment or adverse economic implications are not expected to occur during any phase of the Proposed Development, including potential adverse effects to commercial fisheries. The Inspectorate agrees that the Proposed Development is unlikely to result in significant effects as a result of unemployment or adverse economic implications. This matter can be scoped out of the ES.
5.1.10	Paras 1535 and 1585 and Table 9-4	Offshore and onshore impacts to climate change and adaptation – construction and decommissioning	The Scoping Report proposes to scope this matter out of the Human Health ES assessment, on the basis that construction stage GHG emissions and climate change resilience is addressed in Section 9.4 (Climate Change) and, whilst there would be GHG emissions from project activities during construction, they would not be of a scale likely to result in population level effects on national or global health inequalities associated with climate change. On this basis, the Inspectorate agrees that significant effects from GHG emissions on human health during construction and decommissioning would be unlikely to occur. This matter can therefore be scoped out of the Human Health ES chapter.
5.1.11	Paras 1536, 1570 and 1585 and Table 9-4	Offshore impacts to water quality or availability – all phases	Noting the Inspectorate's comments in Table 3.2 (Marine Water and Sediment Quality) above regarding remobilisation of existing contaminated sediments in the offshore ECC, and the comments from the EA regarding the potential for bathing water quality to be impacted

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>(see Appendix 2 of this Opinion), the Inspectorate does not consider that this matter can be scoped out at this stage.</p> <p>The ES should provide an assessment where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE. .</p>
5.1.12	Para 1571 and Table 9-4	Onshore water quality or availability - operation	<p>The Scoping Report proposes to scope this matter out on the basis that checks and maintenance are unlikely to result in any water related risks to public health and that any risks would be managed through standard best practice spill avoidance and response measures, that would be secured through management plans.</p> <p>On the basis of the rationale provided, the Inspectorate agrees to scope this matter out of further assessment. Any management plans relied upon as mitigation should be clearly referenced within the ES and secured in the dDCO.</p>
5.1.13	Para 1538 and Table 9-4	Offshore and onshore impacts to land quality – all phases	<p>The Scoping Report proposes to scope this matter out on the basis that offshore works would not affect land quality for onshore populations, there is no risk of seabed historic contaminants affecting land quality, port activities are unlikely to result in public exposures to contaminated soils and any new or historic contamination that may be mobilised by construction activities will be managed by standard best practice contamination avoidance and response measures. On this basis, the Inspectorate agrees that these matters can be scoped out of the ES.</p>
5.1.14	Para 1539 and Table 9-4	Onshore impacts from contamination sources on public health - construction	<p>The Scoping Report proposes to scope this matter out on the basis that public health exposure to contaminative sources would be through water and air which are considered in other locations within the Human Health assessment and also within Chapter 8.4 Water Resources and Flood</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			Risk and Chapter 8.3 Onshore Air Quality and Dust. On this basis, the Inspectorate agrees that this matter can be scoped out of the ES.
5.1.15	Para 1540 and Table 9-4	Offshore air quality – all phases	As set out in Table 3.13 above, the Inspectorate agrees that an Offshore Air Quality aspect assessment (including offshore air quality effects to human health) can be scoped out of the ES.
5.1.16	Para 1569 and Table 9-4	Onshore air quality - operation	As set out in ID 4.2.2, the Inspectorate does not consider that it has sufficient information to scope out effects on human health from emissions from plant and machinery from further assessment. The ES should provide an assessment of this matter where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a LSE. Cross-reference can be made to the Onshore Air Quality ES assessment to avoid duplication.
5.1.17	Para 1542 and Table 9-4	Offshore airborne noise – all phases	As set out in Table 3.14 above, the Inspectorate agrees that an Offshore Airborne Noise aspect assessment (including offshore airborne noise effects to human health) can be scoped out of the ES.
5.1.18	Para 1544 and Table 9-4	Offshore and onshore radiation (actual EMF risk) – all phases	<p>The Scoping Report proposes to scope this matter out on the basis that the Proposed Development would not include using or altering active major electrical infrastructure producing EMF and the use of temporary electrical equipment would follow relevant public and occupational safeguards.</p> <p>On the basis that the ES can demonstrate all electrical infrastructure will remain below negligible levels in line with the International Commission Non-Ionising Radiation Protection (ICNIRP) guidelines (2020), the Inspectorate is content to scope out the potential for EMF effects on human health from the Proposed Development.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
5.1.19	Paras 1544, 1575 and 1585 and Table 9-4	Offshore radiation (public understanding of EMF risk) – all phases	Given that the offshore electrical infrastructure would not be located in proximity to communities, the Inspectorate agrees to scope this matter out of further assessment.
5.1.20	Paras 1544 and 1585 and Table 9-4	Onshore radiation (public understanding of EMF risk) – construction and decommissioning	The Scoping Report proposes to scope this matter out on the basis that the Proposed Development would not include using or altering active major electrical infrastructure producing EMF and the use of temporary electrical equipment would follow relevant public and occupational safeguards. The Inspectorate agrees to scope this matter out of further assessment during construction and decommissioning and refers the Applicant to the comments at row ID 5.1.18 above.
5.1.21	Paras 1545 to 1547 and 1585 and Table 9-4	Onshore and offshore health and social care services – all phases	This matter is proposed to be scoped out on the basis that the local GP services capacity could account for an additional 7,292 registrations and whilst the expected construction workforce is not known at this time, as an indication, Dogger Bank South had a maximum construction workforce of 1240 jobs. The additional workforce is also not expected to rely upon new GP registrations, as existing registrations would largely apply. On this basis, the Inspectorate agrees that the Proposed Development is not likely to result in significant effects on the capacity of health and social care services. As such, this matter can be scoped out of the ES.
5.1.22	Paras 1548, 1579 and 1585 and Table 9-4	Offshore built environment – all phases	The Scoping Report proposes to scope this matter out on the basis that offshore utilities disruption is unlikely and that there would be very limited direct impacts on human receptors from marine infrastructure. Furthermore, offshore operational activities are not considered to have waste management, land use or infrastructure use implications on a scale that could affect population health.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			On this basis, the Inspectorate agrees that offshore effects on the built environment are unlikely to be significant. This matter can be scoped out of the ES.
5.123	Paras 1549 and 1585 and Table 9-4	Onshore built environment – construction and decommissioning	<p>This matter is proposed to be scoped out on the basis that onshore utilities disruption is unlikely to occur in the context of the built environment and the position of existing features will be taken into account when planning the export cable corridor.</p> <p>On this basis, the Inspectorate agrees that onshore effects on the built environment during construction and decommissioning are unlikely to be significant. This matter can be scoped out of the ES.</p>
5.124	Paras 1590 to 1592 and Table 9-4	Transboundary impacts – all phases	As noted in Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, the Inspectorate agrees that due to the likely localised nature of any potential effects on human health, this matter can be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
5.125	n/a	n/a	n/a

5.2 Socioeconomics, Tourism and Recreation

(Scoping Report Section 9.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
521	Para 1637 and Table 9-6	Loss of, disruption to or pressure on local infrastructure and services - operation	The Scoping Report proposes to scope these matters out on the basis that any impacts would be negligible. In the absence of estimated worker numbers associated with operation for all potential design options, the Inspectorate is not in a position to agree to scope out this matter out from assessment. The ES should include an assessment of these matters or evidence demonstrating agreement with the relevant consultation bodies and the absence of LSE.
522	Para 1636 and Table 9-6	Impacts on tourism, recreation assets and social infrastructure as a result of the presence of offshore infrastructure - operation	The Inspectorate considers that impacts on tourism, recreational assets and social infrastructure as a result of the presence of offshore infrastructure during operation can be scoped out, given the spatial extent of effects associated with these matters.
523	Para 1643 and Table 9-6	Transboundary effects associated with socioeconomics, tourism and recreation – all phases	As noted under Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, the Inspectorate agrees that this matter may be scoped out on the basis that any impacts would be limited and beneficial in nature and unlikely to result in significant transboundary effects.

ID	Ref	Description	Inspectorate's comments
524	Para 1612	Inter-relationships with other aspects	The Scoping Report notes that the socioeconomics, tourism and recreation assessment is likely to have key interrelationships with the aspects listed at paragraph 1612 and that these will be considered

ID	Ref	Description	Inspectorate's comments
			appropriately, where relevant in the EIA. The ES should clearly set out where this information will be presented and cross refer as appropriate.

5.3 Climate Change

(Scoping Report Section 9.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
531	Table 9-13	Avoided emissions from the Proposed Developments operation – construction and decommissioning	Having considered the nature and characteristics of the Proposed Development, the Inspectorate is content to scope this matter out.
532	Table 9-9	Greenhouse Gas (GHG) assessment – emissions from operational refurbishment	The Scoping Report states that the Proposed Development is unlikely to undergo refurbishment during its operational lifetime. On this basis, the Inspectorate agrees that emissions from the refurbishment of the Proposed Development can be scoped out of the GHG assessment.
533	Table 9-9	GHG assessment – emissions from operational energy use, water use and other processes	The Scoping Report states that the Proposed Development is likely to utilise energy that it has generated, and emissions from the use of water and other operational processes are likely to be negligible. The Inspectorate agrees that emissions from these sources are not likely to be significant. They can therefore be scoped out of the GHG assessment.
534	Table 9-9	GHG assessment – emissions from user's utilisation of infrastructure	The Scoping Report states that end users will not directly interact with the project and so user emissions are therefore irrelevant. On this basis, the Inspectorate is content to scope this emission source from the GHG assessment.
535	Table 9-13 and para 1687	GHG assessment – cumulative effects	Paragraph 1687 of the Scoping Report outlines the global approach to assessment of GHG emissions, seeking to scope out an assessment with other projects in line with Institute of Environmental Management and Assessment (IEMA) guidance. The Inspectorate is in agreement with this approach provided that overall emissions are considered.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
536	Table 9-13 and para 1688	GHG assessment – transboundary effects	<p>Paragraph 1688 of the Scoping Report states that GHG emissions are transboundary by nature and that no additional consideration of transboundary effects is required for the GHG assessment. Table 9-13 of the Scoping Report identifies this matter as scoped in for all phases, which appears to be a typographical error.</p> <p>As noted in Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, having regard to the nature and characteristics of the Proposed Development, the Inspectorate is content that transboundary effects may be scoped out of the GHG assessment in the ES.</p>
537	Table 9-11	Climate Change Resilience (CCR) assessment – mass movements	<p>The Inspectorate agrees that climate change is unlikely to exacerbate the risk of mass movements in the UK, this matter can be scoped out of the CCR assessment.</p>
538	Table 9-11	CCR assessment – water stress	<p>This matter is proposed to be scoped out on the basis that the Proposed Development does not rely heavily on a regular water supply. On this basis, the Inspectorate agrees that this matter can be scoped out of the CCR assessment.</p>
539	Table 9-13 and para 1713	CCR assessment – transboundary effects	<p>Transboundary impacts are proposed to be scoped out of the CCR assessment on the basis that the assessment focuses on the effects of climate change on the project itself.</p> <p>As noted in Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, the Inspectorate agrees that transboundary effects are not relevant to the CCR assessment, this matter can be scoped out.</p>

ID	Ref	Description	Inspectorate's comments
5.3.10	Paras 1696 and	Approach to assessment	Where significance criteria are not explicitly defined within the guidance, the ES should clearly set out where deviation from guidance has occurred and professional judgement has been applied.

5.4 Major Accidents and Disasters

(Scoping Report Section 9.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
54.1	Para 1725	Offshore major accidents and disasters	<p>The Scoping Report states that major accidents and disasters associated with the Offshore Scoping Area will be considered in relevant aspect chapters (as set out in paragraph 1725 of the Scoping Report), rather than a separate assessment in the Major Accidents and Disasters ES Chapter.</p> <p>The Inspectorate is content with this approach. The Major Accidents and Disasters ES Chapter should provide clear cross-referencing to where the relevant impacts are considered.</p>
54.2	Paras 1735 to 1738 and Table 9-14	<p>Impacts during construction including:</p> <ul style="list-style-type: none"> ▪ Major accident or disaster impact arising from the ESBI element of the OCS zone upon the Project site, human or ecological receptors; ▪ Impact of an incident associated with an existing major accident hazard risk on the ESBI element of the OCS zone; and ▪ Impact of natural hazards on the ESBI element of the OCS zone. 	<p>The Scoping Report states that with mitigation measures included in an Outline Code of Construction Practice, adherence to the Construction Design and Management (CDM) Regulations 2023 and best practice measures, potential environmental consequences associated with major accidents and hazards are likely to be negligible. An assessment of these matters is proposed in relation to the operational phase of the Proposed Development, including commissioning activities.</p> <p>The Inspectorate agrees with this approach and that these matters can be scoped out of further assessment in the ES for construction. However, identified risks and corresponding mitigation should still be cross-referenced within the ES.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
543	Para 1745 and Table 9-14	Cumulative impacts – construction	<p>Table 9-14 of the Scoping Report indicates that cumulative impacts are scoped out for the construction phase. However, paragraph 1745 states that cumulative impacts are scoped in (with no mention of the construction phase), meaning the proposed approach is unclear. The Inspectorate is therefore not in a position to agree that this matter can be scoped out.</p> <p>The ES should assess potential cumulative impacts from risks of major accidents and disasters during construction, or include information to demonstrate agreement with the relevant consultation bodies and the absence of a LSE.</p>
544	Paras 1746 to 1747 and Table 9-14	Transboundary impacts – all phases	As noted in Table 2.2 above, the Inspectorate has not yet concluded its separate transboundary re-screening exercise. However, the Inspectorate agrees that due to the relatively likely localised nature of any potential effects, this matter can be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
545	n/a	n/a	n/a

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council or, where the application relates to land in Wales or Scotland, the relevant community council	Lisset-Ulrome Parish Council
	Skipsea Parish Council
	Atwick Parish Council
	Bewholme Parish Council
	Hornsea Parish Council
	Seaton Parish Council
	Beeford Parish Council
	North Frodingham Parish Council
	Brandesburton Parish Council
	Leven Parish Council
	Catwick Parish Council
	Siggleshorne Parish Council
	Hatfield Parish Council
	Riston Parish Council
	Routh Parish Council
Tickton Parish Council	
Leconfield Parish Council	
Molescroft Parish Council	

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Beverley Parish Council
	Bishop Burton Parish Council
	Walkington Parish Council
	Rowley Parish Council
	Skidby Parish Council
	Woodmansey Parish Council
	Cottingham Parish Council
	Cherry Burton Parish Council
	Etton Parish Council
	Dalton Holme Parish Council
	Lockington Parish Council
	Wawne Parish Council
	Rise Parish Council
	Barmston Parish Council
	Beswick Parish Council
	Hutton Cranswick Parish Council
	Welton Parish Council
	South Cave Parish Council
	Market Weighton Parish Council
	Middleton Parish Council
	Lund Parish Council
	Watton Parish Council
	Burton Agnes Parish Council
	Ellerker Parish Council

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Brantingham Parish Council
	Newbald Parish Council
	Sancton Parish Council
	Swanland Parish Council
	Kirk and West Ella Parish Council
	Bilton Parish Council
	Swine Parish Council
	Ellerby Parish Council
	Burton Constable Parish Council
	Skirlaugh Parish Council
	Withernwick Parish Council
	Goodmanham Parish Council
	Foston Parish Council
	Mappleton Parish Council
	Carnaby Parish Council
	Willerby Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England
The Forestry Commission	The Forestry Commission
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Maritime and Coastguard Agency	Maritime & Coastguard Agency
The relevant internal drainage board	Beverly and North Holderness Internal Drainage Board

SCHEDULE 1 DESCRIPTION	ORGANISATION
	South Holderness Internal Drainage Board
Trinity House	Trinity House
The relevant Highways Authority	East Riding of Yorkshire Council Highways Authority
	National Highways
The Civil Aviation Authority	Civil Aviation Authority
The Health and Safety Executive	Health and Safety Executive
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
NHS England	NHS England
The Coal Authority	The Coal Authority
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	Humberside Police and Crime Commissioner
The relevant ambulance service	Yorkshire Ambulance Service NHS Trust
The relevant fire and rescue authority	Humberside Fire and Rescue

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

‘Statutory Undertaker’ is defined in the APFP Regulations (as amended) as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
NHS England	NHS England
The relevant NHS Trust	Hull University Teaching Hospitals NHS Trust

STATUTORY UNDERTAKER	ORGANISATION
	Yorkshire Ambulance Service NHS Trust
The relevant NHS Foundation Trust	Humber Teaching NHS Foundation Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited

STATUTORY UNDERTAKER	ORGANISATION
	Indigo Pipelines Limited
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Stark Infra-Electricity Ltd
	National Gas
The relevant electricity generator with CPO Powers	Doggerbank Offshore Windfarm Project 2 Projco Ltd
	Sofia Offshore Wind Farm Limited
	Doggerbank Offshore Windfarm Project 3 Projco Ltd
The relevant electricity distributor with CPO Powers	Northern Powergrid (Northeast) Limited
	Northern Powergrid (Yorkshire) plc
	Aidien Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd

STATUTORY UNDERTAKER	ORGANISATION
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Squire Energy Metering Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008

LOCAL AUTHORITY
East Riding of Yorkshire Council
North Yorkshire Council
City of York Council
City of Doncaster Council
Hull City Council
North Lincolnshire Council

TABLE A4: THE MARINE MANAGEMENT ORGANISATION

Section 42(1)(a) of the PA2008 requires consultation with the Marine Management Organisation in any case where the proposed development would affect, or would be likely to affect, any of the areas specified in subsection 42(2).

ORGANISATION

The Marine Management Organisation

TABLE A5: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
Royal National Lifeboat Institution

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Coal Authority
Cottingham Parish Council
Environment Agency
Forestry Commission
Health and Safety Executive
Hull City Council
Kirk and West Ella Parish Council
Marine Management Organisation
Maritime and Coastguard Agency
Ministry of Defence
National Gas Transmission
National Highways
NATS Safeguarding
Natural England
Network Rail
Northern Gas Networks
Skidby Parish Council
Trinity House
UK Health Security Agency
UK Power Distribution



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: Emma Cottam

East Riding of Yorkshire Council

[By email: DoggerBankD@planninginspectorate.gov.uk]

1 July 2024

Dear Emma Cottam

Re: EN010144 Doggerbank Offshore Wind Farm

Scoping Consultation; DOGGERBANK OFFSHORE WIND FARM, PROJECT 4 PROJCO LIMITED

Thank you for your notification of 25 June 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The site to which this submission relates is not located within the defined coalfield. On this basis we have no specific comment to make.

Yours

The Coal Authority Planning Team

From: [Deputy Clerk](#)
To: [Dogger Bank D](#)
Subject: RE: EN010144 – Dogger Bank D Offshore Windfarm – EIA Scoping Notification and Consultation update
Date: 23 July 2024 10:48:22
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
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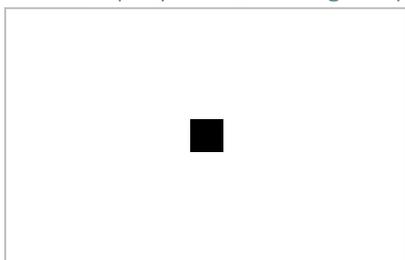
Good morning

Thank you for including us in this stage of consultation. Cottingham Parish Council's main areas of concern are visual impact and traffic, particularly access routes during the construction stages. Noise and air quality during the construction stage will also require careful monitoring.

We look forward to making more detailed comments once plans are further developed. We recommend that public consultation in the Creyke Beck area be held to coincide with Thursday's Market Day. Cottingham Civic Hall is well placed as a suitable location.

Kind regards

Nicola Pape
Clerk
Cottingham Parish Council
Tel: [REDACTED]
Email: deputyclerk@cottinghamparishcouncil.gov.uk



From: Dogger Bank D <DoggerBankD@planninginspectorate.gov.uk>
Sent: Friday, June 28, 2024 3:46 PM
Subject: EN010144 – Dogger Bank D Offshore Windfarm – EIA Scoping Notification and Consultation update

Dear Sir/Madam

We write further to our email and attached letter of 25 June 2024, regarding the proposed Dogger Bank D Offshore Wind Farm.

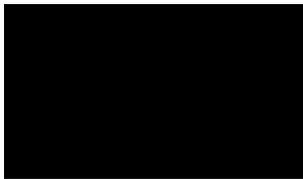
The Applicant has informed us that some text was accidentally omitted from the Climate Change chapter of its Scoping Report (specifically, sections 9.4.2.4 to 9.4.4 in Part 2 of the Scoping Report).

This Scoping Report documentation has been updated on our website this afternoon and the links to access it (within our letter of 25 June 2024) are unchanged. In the event that you have already downloaded a copy of the Scoping Report, please ensure you access the updated documents on our website which include the complete Climate Change chapter.

Please note the deadline for consultation responses remains 23 July 2024, which is a statutory requirement that cannot be extended.

Kind regards

Joseph Jones



Joseph Jones | Associate EIA Advisor
The Planning Inspectorate

Tel: [Redacted]

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Planning Inspectorate

DoggerBankD@planninginspectorate.gov.uk

Our ref: XA/2024/100117/01-L01

Your ref: EN010144

Date: 23 July 2024

Dear Sir/Madam

EIA SCOPING OPINION CONSULTATION FOR DOGGER BANK D OFFSHORE WINDFARM. DOGGER BANK D OFFSHORE WINDFARM, ERYC.

Thank you for consulting us on the Environmental Impact Assessment Scoping report for Dogger Bank D Offshore Windfarm, Revision 2, dated June 2024. We have reviewed this document and can offer the following advice:

We have provided our advice on the topics within our remit below. These are in the order prescribed by the Scoping Report for ease of reference. In some sections, there are key receptors and/or impacts that should be considered and these are discussed in detail. We've also provided detailed advice in relation to the assessment approach where there are specifics we would like to see included as the project design and environmental assessment progresses.

Marine Physical Processes

In general, we agree with the topics being scoped in for further assessment within this section and with the assessment approach taken. We have the following advice for the Applicant:

The scoping boundary crosses a part of the coast designated as a Coastal Change Management Area by East Riding of Yorkshire Council in their adopted Local Plan (2016). Part F of Policy ENV6 of the Local Plan is clear that proposals in this area will be supported if it is ensured that development is safe from the risks of coastal change for its lifetime. The Applicant should start with an assumed lifetime of at least 75 years in their assessment of the effects of climate change in relation to coastal erosion and flood risk, as suggested by the Planning Practice Guidance¹.

The Applicant should make reference to the relevant Shoreline Management Plan (SMP) in their assessment. The latest SMP information can be viewed online via the Shoreline Management Plan Explorer². In brief, this identifies areas where there is a policy to "Hold the Line", such as around existing settlements, and areas where natural erosion will continue. The Holderness coastline is retreating in many parts of the study area.

¹ Planning Practice Guidance: Flood Risk and Coastal Change, Reference ID: [7-006-20220825](#)

² [Home | Shoreline Management Plans \(data.gov.uk\)](#)

The National Coastal Erosion Risk Mapping³ may also be of relevance to the assessment.

Marine Water and Sediment Quality

We agree with the characterisation, identified impacts and approach to assessment outlined in this section of the report.

The report identifies the extent of the designated Bathing Waters within the East Riding Area (from Flamborough to Withernsea). The Applicant should note that there is the potential for bathing water quality to be impacted during the designated bathing water season (1 May – 30 September). Monitoring of these receptors is carried out by the Environment Agency, to determine levels of Intestinal Enterococci and Escherichia Coli, which are also referred to as Faecal Indicator Organisms (FIOs) – with higher FIO levels having the potential to be indicative of sources of contamination which may have elevated levels of associated waterborne pathogens, which could impact upon human health.

The ES should take into account the potential for mobilising any sources of contamination associated with higher concentrations of fine suspended solids, which could result in elevated levels of bacteria and, in particular, the FIOs identified.

Benthic and Intertidal Ecology

Key legislation and receptors are missing from this chapter and subsequently there may be potential impacts that have not been identified. In addition, we have some advice in relation to assessment under the the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017.

The full list of fish species that form part of the designation for the Humber Estuary Special Area of Conservation (SAC) has not been included and key migratory species have not been considered. The following fish species should be added to the Humber Estuary SAC list as follows; allis shad (*Alosa alosa*) and Twait shad (*Alosa fallax*). You should ensure you also consider legislation such as The Salmon and Freshwater Fisheries Act 1975 and The Eels (England and Wales) Regulations 2009.

We also await the results of the “Site specific intertidal surveys” which will be undertaken in the summer of 2024 (July to September) mentioned in section 7.4 (paragraph 357).

In respect to the proposed assessment approach, we would expect that a Water Framework Directive (WFD) compliance assessment be completed for the offshore works, as set out in National Policy Statement (NPS) EN-1⁴, section 5.16. Please also see Advice Note 18⁵ for further information on how WFD should be considered.

The WFD assessment should:

- Consider the impact of the proposal on the WFD status of the Yorkshire South Coastal waterbody (GB640402491000) and any linked water bodies

³ [National Coastal Erosion Risk Mapping \(NCERM\) - National \(2018 - 2021\) - data.gov.uk](https://data.gov.uk)

⁴ [EN-1 Overarching National Policy Statement for Energy \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)

⁵ [Nationally Significant Infrastructure Projects - Advice Note Eighteen: the Water Framework Directive - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

- Identify all potential risks to the following receptors: hydromorphology, biology – habitats, biology – fish, water quality, WFD protected areas and invasive non-native species
- Ensure that there is no deterioration resulting from the proposed activities
- Demonstrate how the development/activity will avoid adverse impacts
- Describe how any identified impacts will be mitigated for or suggest compensation for loss

Guidance on how to assess the impact to WFD is available on Gov.uk⁶.

Fish and Shellfish Ecology

Para 5.4.22 of NPS EN-1 states that "the design of Energy NSIP proposals will need to consider the movement of mobile / migratory species such as birds, fish and marine and terrestrial mammals and their potential to interact with infrastructure". Eel, salmonid and lamprey species have not been included as receptors. Potential impacts from the development on these migratory fish species may not be assessed and would therefore not be considered a likely significant effect within the ES and/or Habitat Regulations Assessment (HRA). The ES should include eels, salmonid and sea lamprey as being present within the study area. They also form part of the designation for the Humber Estuary SAC, so any impacts from the development should be screened at Stage 1 assessment of an HRA and submitted as part of the Development Consent Order (DCO).

Subsequently, the potential impact from dredging activities on European eel has not been included in the scope. Certain methods of dredging can have negative impacts on eel. Such methods are water-injection dredging and pump-suction dredging. A method statement will be required to allow the Environment Agency to assess whether the Eels Regulations (2009) apply to the proposed dredging operation. If we determine that the Eels Regulations do apply, the operator must fit a screen of appropriate specifications or hold an Exemption Notice under Section 17(5)(a) of the Eels (England and Wales) Regulations 2009, in order to operate the equipment in compliance with the Regulations.

Geology and Ground Conditions

Due to the large scale of the proposed scheme, the site is underlain by several geological formations, and includes Secondary (undifferentiated), Secondary A, Secondary B and Principal aquifers. The principal aquifer is associated with the Chalk bedrock (Rowe Chalk, Flamborough Chalk and Burnham Chalk Formations). The scheme also intersects several source protection zones (SPZ), including zone 1. We note that there is no reference to the 'Environment Agency's approach to groundwater protection'⁷. This is a useful document that provides an overview of the activities that are acceptable in SPZs.

We welcome the proposal to undertake a Preliminary Risk Assessment and we are pleased to note that vulnerable receptors and potential risks from construction, maintenance and decommissioning activities have been identified and will be considered further in the ES. However, the Applicant should note that the chalk groundwater is known to be saline in places. A key watchpoint for the scheme therefore would be to not induce further saline intrusion, for instance from dewatering activities. This would need to be considered in detail at the permitting stage.

⁶ <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>

⁷ [The Environment Agency's approach to groundwater protection \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/)

There is also likely to be connectivity of the superficial deposits (and associated aquifers) with local surface waters. Activities that disturb the secondary aquifers (for instance, dewatering, excavation for foundations, construction through areas of contamination or storage of pollutants) will need to consider possible impacts to any connected surface waters receptors as they have a close relationship in some areas.

The Applicant should note that we may request that a requirement for investigating unsuspected contamination is included within the draft DCO.

Water Resources and Flood Risk

Water Resources

The water resources section of the report does not consider the demand for any consumptive uses of water or dewatering. Consumptive uses may include potable and domestic water, and water used for dust suppression, concrete production or machinery/wheel wash down.

Para 5.16.12 of EN-1 "The Secretary of State will need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017." We have identified potential risks to achieving WFD objectives in the Hull, and the East Yorkshire Chalk Wolds area. The water undertaker has a duty to supply potable and domestic supply. However, increases in uptake of water supplied from Yorkshire Water's abstractions in this part of the catchment has the potential to deteriorate these waterbodies. Additionally, abstraction from local surface water will be subject to restrictive licence conditions which may prevent access to water in the summer or during low and medium flows.

We recommend that the water demands for the construction phase are considered fully and the impacts to the water environment are scoped into the ES accordingly. This may refer to direct abstraction from local surface water or it may refer to increased uptake of water company supply. Water availability is one of the biggest challenges for the Humber area. In light of the potential for competing demands, we encourage continued dialogue with the water company in order to ensure that the water needed is available from Yorkshire water as the design develops and quantities become known and plans for alternative sources of water to be explored for non-potable uses.

The nature and extent of the potential for dewatering during below ground construction or cable corridors are not yet apparent from the scoping report in the Description, Groundwater or Water Resources sections. The approach to licensing groundwater abstraction from chalk is complex in this area due to the risk of saline intrusion. Details of whether excavations would be limited to superficial deposits or from chalk will affect the likelihood of an abstraction licence being granted. Furthermore, consideration for discharges, treatment and any intervening uses which affect consumptiveness or continuity (water lost to the environment) should be taken into account. The impact of groundwater abstraction for dewatering, to receiving surface water bodies, other surface water features, licensed abstractions and to the groundwater body itself, should therefore be scoped into the ES in order to identify potential issues early in the process. This should expedite the permitting process later and allow sufficient time for any problem solving or design implications before then.

We stress the importance of considering all groundwater abstractions within the vicinity of the scheme. The abstractions have a default 50m SPZ1 around them. When the scheme details get finalised, it will be important to ensure that the proposed activities are compliant with our groundwater protection policies (referenced above), in particular, in relation to SPZs.

The report states that the Onshore Converter Station (OCS) zone may incorporate energy storage and balancing infrastructure, such as battery banks. Battery Energy Storage Systems (BESS) have the potential to pollute the environment. Applicants should consider the impact to all environmental receptors during each phase of development. Particular attention should be applied in advance to the impacts on groundwater and surface water from the escape of firewater/foam and any contaminants that it may contain. Suitable environmental protection measures should be provided including systems for containing and managing water run-off. The applicant should ensure that there are multiple 'layers of protection' to prevent the source-pathway-receptor pollution route occurring. Further Government guidance on considering potential risks of BESS in planning applications is available online⁸.

The Applicant has not specifically discussed their intention to provide a Water Framework Directive (WFD) Compliance Assessment and we would normally expect to see provision of such a document, or the equivalent assessment within the ES. The Applicant must demonstrate that their mitigation measures are robust enough to not degrade the surrounding surface waters, and this is something that a WFD assessment would highlight. It may be appropriate for them to carry out water samples before, during and after construction to ensure that they have not deteriorated the water quality.

The cable route has also not yet been defined, but the crossing of main rivers is likely to be required, and as such consideration of this should be included in a WFD assessment. This approach is supported by section 5.15 of NPS EN-1, which states that 'the ES should in particular describe... any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive'.

Flood Risk

We support the Applicant's decision to scope in flood risk impacts across all phases of the development.

We have provided some additional advice for the Applicant's consideration below:

Crossings

A key point of concern resulting from the change in scoping boundary is the increased number of Main Rivers potentially within the onshore Export Cable Corridor and potential effects of the associated flood risk. We are keen to ensure that proposed cable depths do not inhibit future repair or improvement of flood defense assets, for example, by preventing use of piles.

We recommend the Applicant liaises with us at the earliest opportunity regarding the placement of above and below ground infrastructure, in terms of vertical and horizontal proximity to assets and watercourses. The formation of a crossings register, which details the location of watercourse crossings, the responsible management authority for the waterbody, and the type of crossing, may be a good

⁸ [Renewable and low carbon energy - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

starting point. Crossings of Monk Dyke, Routh & Meaux East Drain, River Hull, Beverley and Barmston Drain are of particular concern in terms of cable depth due to the sensitivity of the assets. Depending on proximity to assets, monitoring may be required to ensure no detriment from the works.

Further to this we will need access to the watercourses and flood defences at all times, for inspection, remediation, and replacement of structures. We expect non-intrusive trenchless methods (e.g., Horizontal Directional Drilling) to be implemented for the cable crossing of main rivers.

For vehicle crossings, the Applicant should be aware of our position on culverting, which is that we oppose the culverting of any watercourses and instead prefer the installation of clear-span bridge crossings. We will normally only grant a flood risk activity permit for a culvert if there is no reasonably practical alternative, and if the detrimental effects would be sufficiently minor that a more costly alternative would not be justified or there are reasons of overriding public/economic interest. The Applicant should consider the effects of proposed crossings on hydrology and geomorphology and may need to model the impacts of any crossings on flood risk. The soffit of any bridge should be at least 600mm above the design flood level, with consideration of climate change.

Flood Risk Assessment

Site selection must take current and future flood risk into account to comply with the Sequential Test. Given the location, the Applicant should ensure they consider the integrated risks associated with a reliance on assisted pumping and how these risks will be mitigated.

In line with the PPG, the Applicant should assume a design life of at least 75 years in their assessment of the effects of climate change in relation to coastal erosion and flood risk, using the latest guidance⁹ on climate change projections. If the Applicant proposes a design life of less than 75 years, we will require a detailed justification and a time-limiting Requirement as part of this proposal.

A sequential approach should be taken to determine the final site design, with sensitive equipment (such as substations) located outside of the design flood plus climate change flood extent or positioned 600mm above the design flood with consideration of climate change.

Depending on the placement of infrastructure, flood storage compensation may be required. This should be in the context of the design flood, which should account for climate change. Flood storage compensation should be level-for-level, volume-for-volume, localised and should not inhibit flood flow routes.

Water Quality

We support the decision to scope in 'supply of contaminants to surface and groundwater'. However, within that assessment we will expect to see consideration of the risk from potential fires occurring at the OCS. Transformers at these stations pose a reasonably foreseeable risk of fires, which could result in significant losses of oil, firewater and other polluting material to the environment. The impacts from fires, and associated mitigation, should also be considered. Furthermore, we would expect to see a Bentonite Breakout Plan within the ES.

⁹ Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk)

Table 8-6 confuses the water quality elements with Reasons for Not Achieving Good Status (RNAGs). Specific water quality elements (such as phosphate, ammonia, dissolved oxygen etc.) are not RNAGs. The Applicant may instead wish to provide the classification for each of these element classes and list the RNAGs by activity or category (i.e. "Private Sewage Treatment" or "Water Industry").

Onshore Ecology, Ornithology and Nature Conservation

Fish

The Noise and Vibration chapter states that impacts on ecological receptors have been considered within this chapter. However, fish have not been listed as potential receptor within this section. Fish data has not been included within the scope of the baseline data gathering and the impacts on fish species from the development at construction, operation and decommissioning stages have not been considered. The development could have a significant impact on fish species.

In this chapter we would expect to see reference to the Eels (England and Wales) Regulations 2009¹⁰ and the Salmon and Freshwater Fisheries Act 1975¹¹ (SAFFA). Environment Agency fish survey data, Local Authority data generated for Local Wildlife Sites and the Hull and East Riding CaBA Partnership, should be included as desk-based data sources and included as part of the ES. The Preliminary Ecological Appraisal surveys should include an assessment of whether there is suitable habitat for fish in the Study Area and should then inform whether to scope in further fish surveys. This should be included in the ES.

Our records show that the River Hull has a population of European smelt (*Osmerus eperlanus*) and brown/sea trout (*Salmo trutta*), both migratory species listed as a priority species under Section 41 of the Natural Environment and Rural Communities (NERC) Act 2006. There are also records of bullhead (*Cottus gobio*) which is Annex II species under the Habitat Directive. The Humber Estuary SAC is designated for river lamprey (*Lampetra fluviatilis*), sea lamprey (*Petromyzon marinus*), allis shad (*Alosa alosa*) and Twait shad (*Alosa fallax*); all of which are migratory species which may populate the River Hull. There are records of juvenile river lamprey in the River Hull.

Noise & Vibration

As fish have not been identified as a receptor, the effect on fish from noise and vibration as a result of Horizontal Directional Drilling (HDD) at river crossings has not been identified. Although HDD is less impactful than open trench cable laying, there is still the potential for noise and vibrations from the drilling to impact on fish species in the River Hull and other main waterbodies. An assessment on fish species from the impacts of any noise or vibrations during the cable laying must be detailed in the Preliminary Environmental Information Report (PEIR) and Construction Environmental Management Plan (CEMP). Where necessary mitigation measures should be included to make any impacts negligible. This may involve a timing restriction to avoid any key spawning or migratory periods. Underwater noise or vibration may affect natural migratory fish behaviour and in extremities, kill fish. If it is assumed that noise and vibration from HDD is negligible to fish, then this needs to be backed up with evidence. As the River Hull is functionally linked to the Humber Estuary SAC, any impact from the river cable crossing on fish associated with the

¹⁰ [The Eels \(England and Wales\) Regulations 2009 \(legislation.gov.uk\)](http://legislation.gov.uk)

¹¹ [Salmon and Freshwater Fisheries Act 1975 \(legislation.gov.uk\)](http://legislation.gov.uk)

SAC designation, should be screened at Stage 1 of an HRA and submitted as part of the DCO.

There are number of ditches/drains that fall within the proposed site boundary, which are likely to be hydrologically connected to more significant watercourses adjacent and running through the site. It is our opinion that this ditch/drain network will support habitat suitable for European eel and other fish species, as well as those present in main watercourses (e.g., River Hull). The PEIR and CEMP should include an assessment of the impacts on eel and other fish species from the construction activities (i.e., runoff, lighting, noise/vibration from piling and machinery), operation and decommissioning of the development. Details of mitigation must be included where any impacts have been identified. It is recommended that fish surveys are conducted on ditches/drains across the site. It is known the European eel also inhabit such ditch networks. European eels are listed as critically endangered on the IUCN Red List of Threatened Species, they are also listed as a species of principal importance under Section 41 of the NERC Act. They are also protected under The Eels (England and Wales) Regulations 2009. The results should then form part of the baseline data for the ES.

Electro-Magnetic Fields

Potential impacts on fish from Electro Magnetic Fields (EMF's) have only been scoped in for the offshore operational cables. Where onshore cable crossings of waterbodies are planned, there is the potential for an impact on fish from EMFs. An assessment of the impact of EMFs from power cables, on fish species where crossing waterbodies, needs to be included within the ES.

Studies have found EMFs can affect individual organisms during embryonic and larval stages. Sea lamprey and river lamprey spend their juvenile stages on the bed of the river (normally in silty areas). As such, this could lead to localised impacts on any fish near the power cables, where there could be an increase in EMF. Additionally, the migratory species (brown/sea trout, European smelt, European eel) present in the River Hull may be affected by any increase in EMF. Further information is required on the level of EMFs from the buried electrical cables. It is noted that shielding of cables and depth of cables under the watercourse may offer suitable mitigation. As the River Hull is functionally linked to the Humber Estuary SAC, any impact from the river cable crossing on fish associated with the SAC designation, should be screened at Stage 1 of an HRA and submitted as part of the DCO. There are records of juvenile river lamprey in the River Hull.

Biodiversity Net Gain (BNG)

We are pleased to see BNG captured in this Scoping Opinion. We would encourage the applicant to capture River Basin Management Plans (RBMP), Catchment Plan¹², Local Nature Recovery Strategies (LNRS), WFD Mitigation Measures and objectives, SMP, and the Restoring Meadows, Marsh and Reef Programme (ReMeMaRe).

We will expect to see the River Condition Assessment for watercourse BNG being referred to within the report. We also encourage developers to look at cumulative/strategic BNG potential.

We welcome the mention of a Biodiversity Gain Plan to be submitted but would also like to see a Habitat Monitoring and Management Plan (HMMP).

¹² [17-05-22-Hull-and-East-Riding-Catchment-Plan-Consultation-Version-compressed.pdf](#)
([catchmentbasedapproach.org](#))

There is no reference to Chapter 4.6 (Environmental and Biodiversity Net Gain) of the EN-1, in addition to this we would expect to see Chapter 15 (Conserving and Enhancing the Natural Environment) of the National Planning Policy Framework being referred to.

We would expect to see reference to The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024¹³ which set out the modifications for irreplaceable habitat.

The enhancement of biodiversity in and around development should be led by a local understanding of ecological networks, and should seek to include:

- habitat restoration, re-creation and expansion.
- improved links between existing sites.
- buffering of existing important sites.
- new biodiversity features within development; and
- securing management for long term enhancement

The Environment Act 2021 looks to ensure that the overall impact from development on the environment is positive. The Act includes measures to strengthen local government powers in relation to net gain and a minimum requirement of 10% biodiversity net gain. Although we recognise that provision of BNG is not yet mandatory for Nationally Significant Infrastructure Project, we encourage the applicant to consider an approach to development that results in measurable net gains in biodiversity, having taken positive and negative impacts into account.

The PPG¹⁴ provides guidance on the application of net gain and Institute of Ecology and Environmental Management, together with CIRIA and the Institute of Environmental Management and Assessment have published guidance¹⁵ on how to deliver net gain in practice.

Project-Wide Topics

Waste

Observance of the waste hierarchy objectives and principles of the circular economy will depend upon the selection of the most sustainable option at every phase of a development project, from reduction through design and architecture, to the selection of the most efficient recovery process for the treatment and use of waste. The developer must apply the waste hierarchy as a priority order of prevention, re-use, recycling before considering other recovery or disposal options. Government guidance on the waste hierarchy in England can be found on Gov.uk¹⁶.

Site Waste Management Plans are no longer a legal requirement, however, in terms of meeting the objectives of the waste hierarchy and your duty of care, they are a useful tool and considered to be best practice.

Where a development involves any significant construction or related activities, we would recommend using a management and reporting system to minimise and track the fate of construction wastes, such as that set out in PAS402: 2013, or an

¹³ [The Biodiversity Gain Requirements \(Irreplaceable Habitat\) Regulations 2024 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

¹⁴ [Natural environment - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

¹⁵ [New guidance issued for Biodiversity Net Gain \(ciria.org\)](https://www.ciria.org)

¹⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69403/pb13530-waste-hierarchy-guidance.pdf

appropriate equivalent assurance methodology. This should ensure that any waste contractors employed are suitably responsible in ensuring waste only goes to legitimate destinations.

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes.

Within section 8.2.2, Figure 8-7 highlights authorised and historical landfills. If, after following the waste hierarchy, it is decided that wastes can only be sent to landfill, you must ensure that the landfills are accepting wastes and that the waste types that you are generating can be accepted at the landfills prior to transporting the waste. This falls within your duty of care under the requirements of the Environmental Protection (Duty of Care) Regulations 1991.

Information for Applicant

Battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. This creates additional lifecycle liabilities which must be understood and factored into project costs, but on the positive side, the regime also creates opportunities for battery recyclers and related businesses. Operators of battery storage facilities should be aware of the Producer Responsibility Regulations. Under the Regulations, industrial battery producers are obliged to:

- take back waste industrial batteries from end users or waste disposal authorities free of charge and provide certain information for end users;
- ensure all batteries taken back are delivered and accepted by an approved treatment and recycling operator;
- keep a record of the number of tonnes of batteries placed on the market and taken back;
- register as a producer with the Secretary of State;
- report to the the Secretary of State on the weight of batteries placed on the market and collected in each compliance period (each 12 months starting from 1 January).

Putting aside the take back obligations under the producer responsibility regime, batteries have the potential to cause harm to the environment if the chemical contents escape from the casing. When a battery within a battery storage unit ceases to operate, it will need to be removed from site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place.

The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales. The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found on Gov.uk¹⁷.

If you need to register as a carrier of waste, please follow the instructions on Gov.uk¹⁸.

¹⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506917/waste-duty-care-code-practice-2016.pdf

¹⁸ <https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales>

If you require any local advice or guidance, please contact your local Environment Agency office¹⁹.

EA Consents & Permits

Flood Risk Activity Permits

Works in, over, under, or close to main rivers or flood risk infrastructure are also likely to require Flood Risk Activity Permits under the Environmental Permitting Regulations (EPR) 2016. The Applicant will need to determine whether they wish to disapply EPR through the DCO process, and we recommend early discussions with us regarding this. We are likely to request the use of Protective Provisions if we do agree to disapply.

We ask that a buffer of at least 20 metres is maintained around main rivers, and a similar distance where existing flood defences (e.g. outfalls or flood embankments) are present. The Applicant should also discuss their proposals with other Risk Management Authorities with regard to flood and coastal infrastructure on the coast, for example, hard defences in the vicinity of existing settlements.

There is no mention at this stage regarding whether the applicant will seek to dis-apply the EPR. Whilst disapplication is common practice in DCO proceedings, we still require to be formally notified of this intention. If disapplication is formally notified to us, we still require discussions with the applicant around the proposals and will secure our interests by way of approval of plans through Protected Provisions. There is no guarantee that we will agree to dis-apply EPR. If disapplication is the Applicant's intention, early engagement with us is recommended, along with a permit schedule to confirm which permits/consents they will require.

Abstraction / Dewatering

If dewatering is required, it may require an environmental permit if it doesn't meet the exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works²⁰. Our position statement on temporary dewatering is available online²¹.

If a full abstraction licence is required, the Applicant should be aware that some aquifer units may be closed for new consumptive abstractions in this area. More information can be found on Gov.uk²².

Please note that the typical timescale to process a licence application is 9-12 months.

The applicant may wish to consider whether a scheme-wide dewatering application rather than individual applications would be beneficial. We suggest talking to our National Permitting Service early in the project planning. The Applicant is reminded of the need to ensure that any abstraction does not induce further saline intrusion.

Groundwater Activities

¹⁹ YorkshireWaste@environment-agency.gov.uk

²⁰ [The Water Abstraction and Impounding \(Exemptions\) Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2017/1000/section-5)

²¹ [Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/rps-261-temporary-dewatering-from-excavations-to-surface-water)

²² <https://www.gov.uk/government/publications/cams-hull-and-eastriding-abstraction-licensing-strategy>

The Applicant may also need to consider discharge of groundwater, especially if it is contaminated.

The use of drilling muds for any directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

Decommissioning Phase

We would like to better understand the options as part of any subsequent decommissioning phase. Of particular interest will be what happens with infrastructure installed below watercourses and flood defences, and also any watercourse crossings, during the construction phase (which we understand will be temporary).

Environment Agency Land

There are some areas of land, specifically around main rivers, which are land owned by the Environment Agency. Due to the large scoping area, it is unclear at this stage whether this land will be affected by the proposals, but we would welcome ongoing discussions with the applicant about this.

We trust this advice is useful.

Yours faithfully

Miss Lizzie Griffiths
Planning Specialist - National Infrastructure Team

Direct dial [REDACTED]

Direct e-mail [REDACTED]@environment-agency.gov.uk

Yorkshire & North East

Foss House
Kings Pool
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York
YO1 7PX

Tel 0300 067 4900

yne@forestrycommission.gov.uk

Area Director

Crispin Thorn

By email only

Date: 23rd July 2024

Dear Emma Cottam,

Ref: EN010144 - Dogger Bank D Offshore Wind Farm

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on the woodland identified in this proposed application. As a Non-Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather, we are providing information on the potential impact that the proposed development could have on woodland. The Forestry Commission is pleased to provide you with the following information that may be helpful when you consider the application:

- Details of Government policy relating to ancient woodland
- Information on the importance and designation of ancient woodland
- Details of Government policy relating to non-ancient woodland

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "there are wholly exceptional reasons and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 186c).

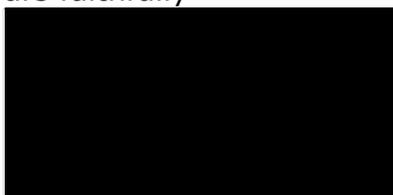
For more information on the impacts of development on ancient woodland and how to assess these, please see the joint Forestry Commission /Natural England [Standing Advice on Ancient Woodland](#) – “Ancient woodland, ancient trees and veteran trees: advice for making planning decisions”, the supporting [guidance](#) included within it, and [Keepers of Time](#) – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

The standing advice also provides information on mitigation, including the use of buffers. Proposals in proximity to ancient woodland should have a buffer zone of at least 15m from the boundary of the woodland to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, for example the effects of air pollution from increased traffic, the proposal is likely to require a larger buffer zone. We would be keen to engage further with the developer in relation to any mitigation and compensation strategies.

In relation to the presence of non-ancient woodland within the proposal, we would like to draw your attention to paragraph 131 of the NPPF which states that planning policies and decisions should ensure that existing trees are retained wherever possible.

What is most important to the Forestry Commission in this case is that there will be no loss or detrimental impact as a result of this proposed development on ancient woodland as mentioned above. We hope these comments are helpful to you. We look forward to hearing from you with regards to any future planning applications for this site. If you have any further queries or would like a follow up meeting to discuss this planning application, please do not hesitate to contact the Forestry Commission on the email address provided above.

Yours faithfully



Dan Brown, Local Partnership Advisor
Yorkshire and North East Team

By email only:
doggerbankd@planninginspectorate.gov.uk

CEMHD - Land Use Planning,
NSIP Consultations,
Building 1.2, Redgrave Court,
Merton Road, Bootle,
Merseyside L20 7HS. HSE email:
NSIP.applications@hse.gov.uk

Dear Sir/Madam

Date: 8/07/2024

**PROPOSED DOGGER BANK D OFFSHORE WIND FARM BY PROJECT 4 PROJCO LIMITED
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
REGULATIONS 2017 (AS AMENDED) REGULATIONS 10 AND 11**

Thank you for your letter of 28 June 2024 regarding proposed Dogger Bank D Offshore Wind Farm.

HSE's land use planning advice:

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed onshore project components (Dogger Bank D Offshore Wind Farm, Onshore Export Cable Corridor Area of Search and Onshore Converter Station Zone Area of Search, Drawing No. PC3991-RHD-ON-ZZ-DR-Z-0028, Revision 01 (26/04/2024)) of the proposed development falls within the Consultation Zones of a significant number of major hazards sites and major accident pipelines.

If, after the cable routing and on-shore infrastructure location is better known, the proposed development should encroach on any of these zones, HSE would be able to provide more specific advice with regards to which site the Applicant should make contact with to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.

Since the works will entail underground cabling and access routes, HSE strongly recommends that at the earliest opportunity, when the cable routing is better known, the Applicant liaises with identified major accident pipeline operators. There are three particular reasons for this:

- The pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline;
- The standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds;
- To establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

Based on the information in the Dogger Bank D Wind Farm EIA Scoping Report, Rev 2.0, 27/06/2024, PC3991-RHD-ZZ-ZZ-RP-Z-0006, it is unlikely that HSE would advise against the development. Please note that the advice is based on HSE's existing policy for providing land-use planning advice and the information which has been provided. HSE's advice in response to a subsequent planning application may differ should HSE's policy or the scope of the development change by the time the Development Consent Order application is submitted.

Would the Hazardous Substance Consent be needed?

It is not clear whether the Applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances.

If hazardous substances planning consent is required, please consult HSE on the application.

Consideration of Risk Assessments:

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive. This document includes consideration of risk assessments on page 3.

Explosives sites:

Explosives Inspectorate is response is no comment to make for Part D, there is an HSE licensed explosives site near the proposed development, but it does not fall into any of the safeguarding zones.

Please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk

Yours faithfully,

CEMHD NSIP Consultation Team

OFFICIAL



Hull
City Council

The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol BS1 6PN

Your Ref: EN010144
My Ref: SM/DBD
Tel: 01482 612920
Website: hullcc.gov.uk
Email: [REDACTED] [hullcc.gov.uk](mailto:[REDACTED]@hullcc.gov.uk)

Date: 23rd July 2024

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Doggerbank Offshore Wind Farm, Project 4 Projco Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank D Wind Farm (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for consulting Hull City Council and inviting comments on the request for a Scoping Opinion in connection with the above project.

The Council wishes to reiterate its support for the development of renewable and low-carbon hydrogen technologies in general terms, particularly in light of the City and HEYLEP's net zero, clean growth economy, and renewables sector priorities.

Given the spatial extent of the application site for the Proposed Development, and the location and administrative jurisdiction of Hull City Council, we would defer to the advice of the appropriate planning authorities with regard to content relating to offshore matters set out within the Scoping Report.



Economic Development & Regeneration Directorate, The Guildhall,
Alfred Gelder Street, Hull, HU1 2AA

8.3 Onshore Air Quality and Dust

Do you agree with the characterisation of the existing environment?

Yes, as far as it relates to the Hull City Council administrative area.

Have all the onshore air quality impacts resulting from the Project been identified in the Scoping Report?

Yes, with regard to the Hull City Council administrative area.

Do you agree with the onshore air quality and dust impacts that have been scoped in for / out from further consideration within the EIA?

Yes, with regard to the Hull City Council administrative area.

Have all the relevant data sources been identified in the Scoping Report?

Yes, with regard to the Hull City Council administrative area.

Do you agree with the proposed assessment approach?

Yes, generally, except for the omission referred to below.

Para 1087

It is recommended that the Air Quality Assessment and assessment of significance of impacts is undertaken with regard to the Air Quality guidance contained within Hull City Council Supplementary Planning Document 3 – Environmental Quality.

8.8 Onshore Noise and Vibration

Do you agree with the characterisation of the existing environment?

Yes, as far as it relates to the Hull City Council administrative area.

Have all the onshore noise and vibration impacts resulting from the Project been identified in the Scoping Report?

Yes, with regard to the Hull City Council administrative area.

Do you agree with the onshore noise and vibration impacts that have been scoped in for / out from further consideration within the EIA?

Yes, as far as they relate to the Hull City Council administrative area.

Have all the relevant data sources been identified in the Scoping Report?

Yes, with regard to the Hull City Council administrative area.

Do you agree with the proposed assessment approach?

Yes, as far as it relates to the Hull City Council administrative area.

8.9 Traffic and Transport

Do you agree with the characterisation of the existing environment?

Hull City Council is generally in agreement with the characterisation as set out, subject to the following:

Fig. 8.22

Recommend that the study area map is nudged southwards to take in the full extent of the major road transport routes identified (i.e. including A63, A1033, A164), rather than land to the north of the Onshore Scoping Area where no such key routes are shown.

Para.1373

The A63 constitutes the main highway route into the city from the west, rather than from the east, as stated.

The eastern stretches of the Port of Hull (Alexandra, Queen Elizabeth, and King George Docks specifically) are served by the A1033, also part of the Strategic Road Network, in addition to the A63 to the west.

Para.1386

Not all sections of the A165 are dualled.

Have all the traffic and transport impacts resulting from the Project been identified in the Scoping Report?

Hull City Council believes that this is the case, with the exception of those dependent on the identification of the port or ports to be utilised for the import of materials and other items required for the construction phase, a matter of particular relevance to potential impacts within the Council's administrative area.

Do you agree with the traffic and transport impacts that have been scoped in for / out from further consideration within the EIA?

Para.1413

It will be important that the spatial extent of the A63 route to be scoped out in connection with the A63 Castle Stret Improvement Scheme.

Para.1418

It is not clear whether the 30 two-way movement threshold applies to individual legs of junctions, or total traffic movements at those junctions.

Para.1437

In order for the potential impacts, including cumulative effects of port-generated construction traffic to be captured, a Construction Port Traffic Management Plan requirement would need to be imposed.

Have all the relevant data sources been identified in the Scoping Report?

The majority of the relevant data sources have been identified, with the following exceptions:

Para.1442

It is not clear whether or not the collection of baseline data will include collection of classified turning count data for the assessment of junction delay at agreed junctions.

Fig. 8.23

The Marfleet Lane / Maybury Road route identified as a major road transport route on sheet 5/5 appears to be devoid of any survey points.

Table 8.26

The Tempro parameters identified are considered to be appropriate in principle, but differential growth to traffic approaching junctions on highway authority boundaries may cause issues if/when peak-hour junction delay assessments are undertaken, in balancing junction inflows.

Do you agree with the proposed assessment approach?

Overall, the approach outlined in the Scoping Report is considered to be appropriate.

Table 8.30

LTN 1/20 (Cycling Infrastructure Design) could also be referenced to cater for workers travelling sustainably to site.

Yours sincerely

Simon Mounce
Principal Development Management Officer

From: [Parish Clerk](#)
To: [Dogger Bank D](#)
Subject: Re: FAO Clerk of Kirk Ella Parish Council - EN010144 – Dogger Bank D Offshore Windfarm – EIA Scoping Notification and Consultation
Date: 18 July 2024 14:07:54
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

You don't often get email from [REDACTED]

Good afternoon,

The Kirk Ella & West Ella Parish Council has no comments to make on the consultation.

Kind regards,

ON BEHALF OF THE COUNCIL

Mrs A Pickering

Clerk to the Council

Kirk Ella & West Ella Parish Council

From: Dogger Bank D
Sent: Tuesday, June 25, 2024 4:18 PM
To: parishclerk@pickering1929.karoo.co.uk
Subject: FAO Clerk of Kirk Ella Parish Council - EN010144 – Dogger Bank D Offshore Windfarm – EIA Scoping Notification and Consultation

FAO Clerk of Kirk Ella Parish Council

Dear Sir/Madam,

We are contacting you at this time in relation to the Dogger Bank D Offshore Wind farm which is a Nationally Significant Infrastructure Project (NSIP). NSIPs are defined in Part 3, Regulation 14 of the Planning Act 2008, and are projects of certain types, over a certain size, which are considered by the Government to be so big and nationally important that permission to build them needs to be given at a national level, by a responsible Secretary of State. A summary of the NSIP planning process can be found in the list of links at the bottom of this page. This project is currently in the preapplication stage.

To meet the requirements of the Infrastructure Planning Environmental Impact Assessment (EIA) Regulations (2017) (“the EIA Regulations”), NSIPs which are likely to have a significant effect on the environment are required to undertake an EIA and to provide an Environmental Statement (ES) to accompany the application. An ES will set out the potential impacts and likely significant effects of the Proposed Development on the environment. Schedule 4 of the EIA Regulations sets out the general information for inclusion within an ES. You can find out more detail on ES documents and the EIA process in the links at the bottom of this page.

To inform the scope and level of detail of the information to be provided within the ES, the Applicant has requested a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State under Regulation 10 of the EIA Regulations.

Before adopting a Scoping Opinion, the Inspectorate must consult the relevant ‘consultation bodies’ defined in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (see link below). You have been identified as a consultation body for this project, please see attached correspondence. Both Local Planning Authorities and Parish/Town Councils play an important role in the planning process by providing area specific knowledge and representing local communities. The Applicant must have regard to comments made within the Scoping Opinion as the submitted ES must be based on the most recently adopted Scoping Opinion. Therefore, your comments at this stage are valuable at influencing the scope of the ES by reviewing the Applicant’s approach to EIA as set out within their Scoping Report. Please note this consultation relates solely to the EIA Scoping process. Please rest assured that there are further opportunities for you to engage with and provide views on the project more generally, including through the Applicant’s own consultation. Applicants have a duty to undertake statutory consultation and are required to have regard to all responses to their statutory consultation.

Please note the deadline for consultation responses is 23 July 2024 and is a statutory deadline which cannot be extended. Responses submitted before the deadline will be considered, and published at the end of the Scoping Opinion, by the Planning Inspectorate. For further information about the NSIP planning process, please click on the links below:

Overview of the NSIP Planning Process

- [Overview of the NSIP Planning Process](#)
- [Information on the stages, services and participation in NSIP planning](#)
- [FAQs relating to the Scoping process](#)
- [Information in relation to specific matters within the planning process, e.g. the role of local authorities, local impact reports, the EIA Process, Habitats Regulations Assessment \(HRA\), etc.](#)

[Information on legislation, guidance, and National Policy Statements \(NPSs\)](#)

The relevant legal framework and regulations include:

- [The Planning Act 2008](#)
- [The Infrastructure Planning \(Environmental Impact Assessment\) Regulations \(2017\)](#)
- [Infrastructure Planning \(Applications: Prescribed Forms and Procedure\) Regulations 2009](#)

If you have any questions regarding any of this information, please do not hesitate to get in touch by way of return to this email address.

Kind regards,



Joseph Jones | Associate EIA Advisor
The Planning Inspectorate

Tel:



[@PINSgov](#)



[The Planning Inspectorate](#)



planninginspectorate.gov.uk

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Our Reference: DCO/2023/00001

Robert Goodchild
Lead Consents Manager
SSE Renewables
Dogger Bank Wind Farm
[REDACTED] sse.com

By email only

22 July 2024

Dear Robert Goodchild,

Formal scoping request under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 for the proposed Dogger Bank D Offshore Windfarm.

Thank you for your scoping opinion request of 25 June 2024 and for providing the Marine Management Organisation (MMO) with the opportunity to comment on the June 2024 Dogger Bank D Wind Farm Environmental Impact Assessment (EIA) Scoping Report Revision 1 scoping request.

The MMO's role in Nationally Significant Infrastructure Projects

The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence¹. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river, or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area. In the case of Nationally Significant Infrastructure Projects ("NSIPs"), the 2008 Act enables Development Consent Order's ("DCO") for projects which affect the marine environment to include provisions which deem marine licences².

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit, or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-

¹ Under Part 4 of the 2009 Act
² Section 149A of the 2008 Act



consent monitoring, variation, enforcement, and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (“dML”) enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO’s website³. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note⁴.

Please find attached the scoping opinion of the MMO. In providing these comments, the MMO has sought the views of our technical advisors at the Centre for Environment, Fisheries and Aquaculture Science (Cefas) and the MMO Coastal Office – North East Area.

The MMO reserves the right to make further comments on the project throughout the preapplication process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval, or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely



Amy Musker-Heaton

Marine Licensing Case Officer

D +44 [redacted]
E [redacted] [marinemanagement.org.uk](mailto:[redacted]@marinemanagement.org.uk)

³ <https://www.gov.uk/planning-development/marine-licences>

⁴ <http://infrastructure.planningportal.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf>



Scoping Opinion

Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) (“the Regulations”)

Title: Dogger Bank D (DBD) Offshore Wind Farm (OWF)

Applicant: SSE Renewables and Equinor

MMO Reference: DCO/2023/00001

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1. Proposal

Thank you for your letter dated 25 June 2024 consulting the Marine Management Organisation (MMO) on the Revision 1 EIA Scoping report submitted by SSE Renewables and Equinor in respect to an application for development consent under the Planning Act 2008 (the “2008 Act”) to Dogger Bank D Wind Farm.

1.1 Project Description

Dogger Bank D (DBD) is proposed to be the fourth phase of the Dogger Bank Wind Farm area. The Dogger Bank D proposal could add up to approximately 1.8 Gigawatt (GW) of renewable energy. In 2024, a new grid connection point was identified by National Grid Electricity System Operator (ESO), resulting in design and spatial difference from the previous “National Grid Option”. In addition, following ongoing project refinement, the Hydrogen Option will no longer be progressed as part of the Project.

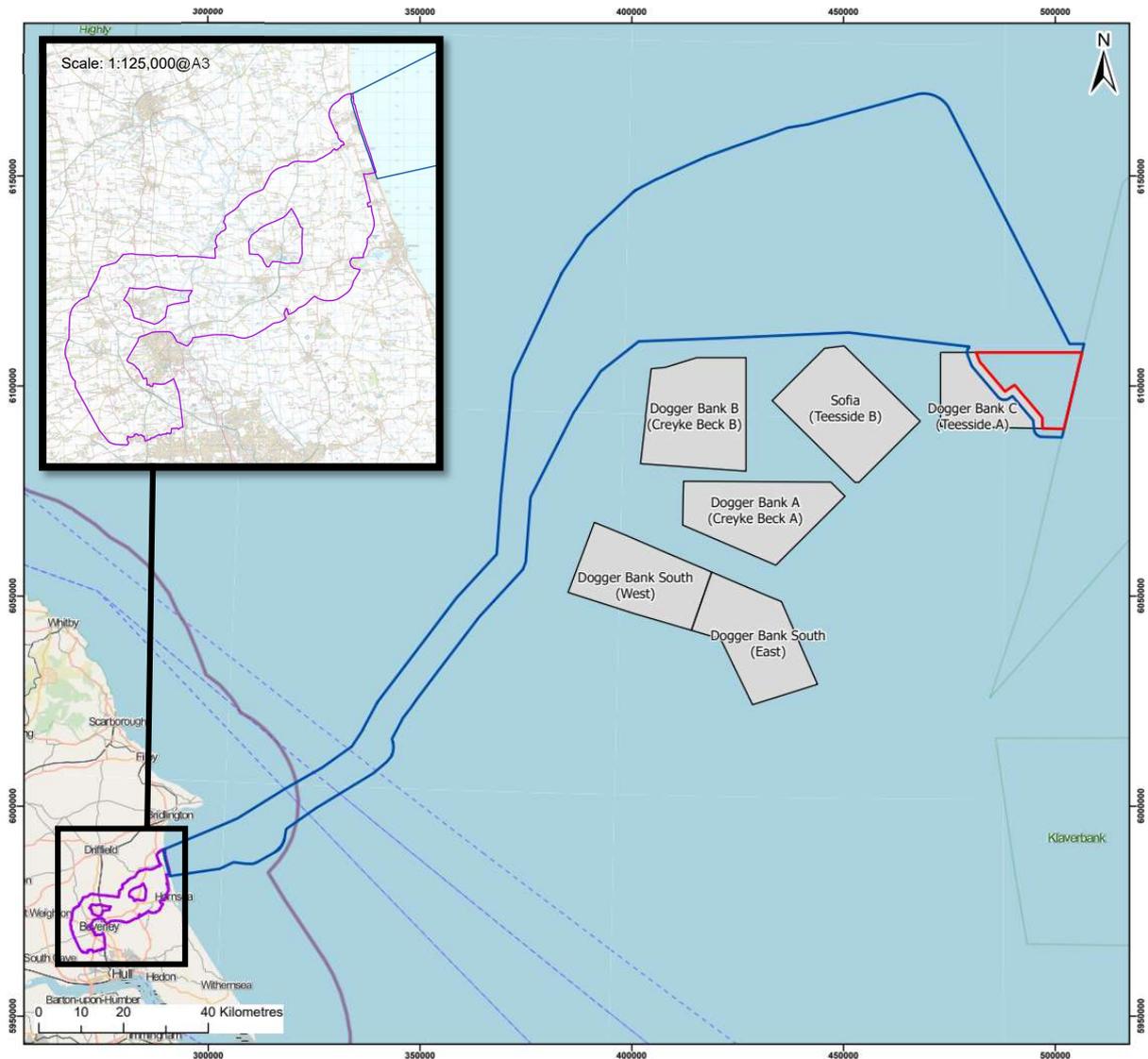
The Project would include an offshore generating station with an installed capacity exceeding 100MW. The Project is being developed to connect into Birkhill Wood Substation in the East Riding of Yorkshire. The Project is also exploring the potential for coordination with an OHA between the UK and another European country’s electricity market. DBD is being developed as a joint venture between SSE Renewables and Equinor.



2. Location

The Dogger Bank D Offshore Windfarm is located around 210 kilometres (km) off the North-East coast of England and covers an area of 249 kilometres squared (km²). The Scoping area is displayed in Figure 1 below.

Figure 1: The Scoping Boundary of Dogger Bank D



3. Scoping Opinion

Pursuant of regulations 10 and 11 of the Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), SSE Renewables and Equinor have requested a Scoping Opinion from the MMO.

In so doing a Scoping Report entitled 'June 2024 Dogger Bank D Wind Farm Environmental Impact Assessment (EIA) Scoping Report Revision 1' has been submitted to the MMO for review.

The MMO agrees with the topics outlined in the Scoping Report and in addition, we outline that the following aspects be considered further during the EIA and must be included in any resulting Environmental Statement (ES).

3.1 General Comments

- 3.1.1 The MMO requests that for future documents these are set out with one page view rather than two page view to enable easier review of the documents.
- 3.1.2 Section 2.3.4 mentions marine planning. DBD could be within the North East and East Inshore and Offshore Marine Plan Areas. This needs to be taken into consideration while preparing the EIA and Environmental statement (ES). The Marine Planning Explore Marine Plans (<https://explore-marine-plans.marineservices.org.uk/marine-plans-explorer>) should be used to identify which marine plans the project needs to be assessed against. The MMO requests that for the final ES a table is produced to highlight all policies within these plans and whether these have been screened in or out, including justification. The MMO welcomes any further discussions in relation to this.

3.2 Nature Conservation

- 3.2.1 The MMO defers to Natural England as the Statutory Nature Conservation Body (SNCB) on the suitability of the scope of the assessment with regards to MPAs.

3.3 Benthic Ecology

- 3.3.1 The MMO welcomes the decision to scope in transboundary effects associated with sediment plumes during construction, operation, and decommissioning phases of DBD which will be assessed alongside other cumulative impacts.
- 3.3.2 Adequate justification has been provided regarding the scoping out of Sediment Heating from Export Cables as the theoretical capacity for heat transfer from the cables to the surrounding benthic assemblage is negligible. However, the MMO was unable to locate references for the associated documents (Taormina et al. 2018; Brakelmann and Stammen, 2017) on page 358 (Section 13 References) of the scoping report (referenced in paragraph 5) and recommends that all references are included in the subsequent assessments.
- 3.3.3 The MMO agrees with the Applicants decision to scope out the impacts associated with the introduction of Invasive Non-Native Species from vessel traffic as this will be mitigated through adherence to relevant biosecurity measures. Similarly, with the justification provided and decision to scope out the impact of accidental release of pollutants as the embedded mitigation within the Project Environmental Monitoring Plan (PEMP) will be



sufficient to reduce the likelihood of impact, this is also agreed. Outline plans would be welcomed as early as possible to be able to comment on these and ensure they are fit for purpose.

- 3.3.4 The Applicant recognises that additional datasets for the offshore assessment may be available on the Cefas OneBenthic database (data extraction tool available https://rconnect.cefas.co.uk/onebenthic_dataextractiongrabcore/). However, as this database is continually updated as datasets become available, it is recognised that appropriate datasets may be identified after the cut off for inclusion and therefore may not be included in the overall assessment. However, it should be clear within future documents the last time this was used along with justification for the cut off for inclusion date.
- 3.3.5 The MMO defers to the relevant SNCB, Natural England regarding the impact of the Project to protected features within designated protected sites.
- 3.3.6 The MMO defers to the relevant SNCB Natural England regarding the impacts of the Project on the conservation features of the Dogger Bank Special Area of Conservation (SAC) and the Marine Conservation Zones (Holderness Inshore, Holderness Offshore and Swallow Sand) currently under assessment. The MMO notes that the 10km buffer around the study area, for the export cable corridor, overlaps with the Swallow Sand Marine Conservation Zone (MCZ) and this site may not be included in subsequent assessment should the likelihood of an overlap be reduced following any evidence-based reduction in buffer size.

3.4 Coastal Processes

- 3.4.1 For transboundary impacts, the MMO notes that these have been scoped in during operation only. Though it is noted that the report states that; 'Cumulative sediment plumes predicted for operation of Dogger Bank A, Dogger Bank B, Dogger Bank C and Sofia Offshore Wind Farms only disperse up to about 15km into Dutch waters and do not cross into German, Danish or Norwegian waters'.
- 3.4.2 Sediment plumes are not mentioned in relation to construction, where it is likely for sediment to be mobilised from installations. Please confirm if this is likely to be of a similar magnitude? If so, transboundary impacts should also be considered during the construction phase.
- 3.4.3 It is noted that the only change between 2023 Scoping Report and this new Scoping Report is the exclusion of the coastal and nearshore sediment transport due to the fact that there is no Hydrogen Production Facility (HPF). Whilst the outfall pipes are no longer being constructed, consideration should still be given to drilling, as the Holderness coast is one of the most rapidly eroding. Cliff erosion also includes downcutting of the shore platform, which could create a risk of cable damage or exposure. Please confirm if this has been considered? The MMO would expect to see sufficient justification in the text for this removal and the risk of any potential impacts discussed that could impact that coastal and nearshore region.
- 3.4.4 Consideration is needed for the coastal interface between offshore and onshore aspects of the development, to ensure cables and project infrastructure aren't at risk of exposure or damage. Another consideration is how this project may impact the erosion rate (i.e. whether the project will exacerbate it in any way through changes to tidal regime/sediment transport).



3.4.5 Due to the stage of the project, mitigation is not discussed in detail, although cable and scour protection are mentioned. The Preliminary Environmental Information Report and Environmental Statement must go into significantly more detail into mitigation measures when any significant impacts on the marine physical processes have been identified.

3.5 Fish Ecology and Fisheries

3.5.1 The MMO does not have any major concerns regarding the scoping out of underwater noise and vibration during the operation phase and agrees that main sources of noise generated during operation come from the wind turbine gearbox and generators, and vessels undertaking maintenance activities so are unlikely to result in physical damage to fish, although some behavioural responses in fish are expected to occur.

3.5.2 The MMO notes that the proposal to scope out underwater noise and vibration during the operation phase (in Section 7.5.3.3.5) contradicts what is presented in Table 7-12, which shows this impact as being scoped in for all phases. Please can this be clarified.

3.5.3 The Applicant has recognised the importance of the Dogger Bank as a sandeel habitat and spawning ground, and notes that the species are highly vulnerable to habitat disturbance due to their close affiliation and burrowing nature. The scoping report also notes that the Dogger Bank was an extensive sandeel fishing ground until the recent implementation of a new byelaw which prohibits bottom-trawling in the Dogger Bank Special Area of Conservation (SAC). Given the burrowing nature of sandeels and their vulnerability to habitat disturbance, in respect of Sediment Heating from Export Cables, the MMO requests that sediment heating from cables is scoped into the EIA. This is because it is understood that sandeel burrow to depths of between 20 centimetres (cm) to of 50cm for certain species in specific sediment types (Holland et al., 2005 and Rowley, 2008), so there is potential for sandeels to be exposed to the effects of thermal heating in the sediment layers they inhabit, based on the proposed 0.5metres (m) minimum cable burial depth. Therefore, the EIA is required to assess the 'worst-case' scenario that assumes the greatest potentially significant impact in terms of magnitude and significance, which is 0.5m burial. As already stated, sandeel can burrow to this depth, and even deeper, therefore an impact is more than likely and thus an impact pathway is present. further discussions will be required, in order to predict the likelihood of significant effects on the receptor.

3.5.4 The Applicant is proposing to carry out a desk-based assessment using existing data and publicly available evidence, and this is an acceptable approach. However, the limitations associated with some of the data they are using should be acknowledged within this. For example, the vintage of data collected from fisheries surveys conducted across the former Dogger Bank Zone, and the selectivity of the fishing gear used to describe fish assemblages in Section 443; Callaway et al. (2002) used a 2m Jennings beam trawl to target epibenthic species which catches small and juvenile fishes but will not adequately target large/adult fish, or pelagic fish. Similarly, otter trawls and epibenthic beam trawls will not adequately target sandeels.

3.5.5 The spawning and nursery grounds of fish found within range of the study area have been identified using Coull et al. (1998) and Ellis et al. (2012) which are suitable resources. The Applicant will conduct species-specific assessments for Atlantic herring and sandeel as these species have spawning and nursery grounds within the Study Area and are highly sensitive to changes in substrate composition, with herring also being sensitive to underwater noise. The Applicant will use particle size analysis (PSA) data collected from



the site-specific benthic surveys, alongside existing available PSA data to inform the baseline suitability for sandeel habitat and herring spawning habitat.

- 3.5.6 The MMO notes that a site specific benthic survey is proposed in 2024. The MMO expects that it is ensured that there is extensive PSA data coverage across the array and the Export Cable Corridor (ECC) which passes through the Banks herring spawning habitat off Flamborough Head. The MMO can review of the survey to provide confirmation of sufficient coverage if this is requested.
- 3.5.7 The MMO notes that it is proposed to follow the methods outlined in MarineSpace 2013a and 2013b to determine areas of suitable sandeel habitat and herring spawning habitat, respectively. Please note that MarineSpace has recently revised these methods using more recent data and the inclusion of new seabed sediment datasets. The MMO requests that the updated MarineSpace methods for the assessments are used; see Reach et al. (2024) for sandeel and Kyle-Henney et al. (2024) for herring.
- 3.5.8 The MMO also recommends that the sandeel habitat assessment should be supplemented with data from the North Sea Sandeel Survey (NSSS) carried out in Sandeel Area 1r in December each year. This targeted sandeel dredge survey has been carried out since December 2004 and includes a number of stations in and around Dogger Bank. The NSSS data can be downloaded from the International Council for the Exploration of the Sea International Council for the Exploration of the Sea (ICES) at https://datras.ices.dk/Data_products/Download/Download_Data_public.aspx
- 3.5.9 The MMO notes that mitigation measures for fish have not been identified as this is only a scoping report. The need for mitigation should be determined on the outcomes of the EIA.
- 3.5.10 The ECC passes through a key part of the Banks herring spawning ground off Flamborough Head. With this in mind, the MMO requests that a robust assessment of the impacts of habitat disturbance to herring spawning habitat along the ECC arising from cable laying activities is provided, as well as the impacts of noise and vibration from construction activities such as piling in the array and at the Offshore Substation Platform OSPs is provided.

3.6 Marine Mammals

- 3.6.1 The MMO has provided comments on impacts on marine mammals from underwater noise. The MMO defers to Natural England as the SNCB in relation to all other potential impacts to marine mammals.

3.7 Underwater noise

Marine Mammals

- 3.7.1 All relevant impacts in relation to marine mammals and underwater noise have been scoped in.
- 3.7.2 The MMO welcomes that site specific underwater noise modelling will be undertaken to inform the assessments for piling and will take into account soft-start and ramp-up procedures, as well as the number of piles to be installed each day, and the number that may be installed at the same time. It is expected that the underwater noise modelling will be undertaken using the Southall et al. (2019) thresholds as current best practice (para 547). The MMO requests the adoption of the Southall et al. (2019) thresholds for marine



mammals and we would be happy to further advise on the noise modelling specifics as the EIA progresses.

- 3.7.3 We welcome that the potential for Permanent Threshold Shift (PTS) and Temporary Threshold Shift (TTS) due to other construction activities (such as dredging, cable laying, and rock placement), as well as construction vessels will be scoped into the EIA. Site-specific modelling will be undertaken. This may be later scoped out (following agreement through the ETG) should the underwater noise modelling show limited potential for any PTS or TTS onset (paragraph 548). The MMO will continue to engage in these discussions.
- 3.7.4 The MMO agrees that behavioural / disturbance impacts resulting from piling, other construction activities and vessel noise should be scoped into the EIA (paragraph 549). I welcome that a dose response curve approach will be used wherever there is data available (paragraph 551). The best available dose response curves (at the time of writing) will be used to inform these assessments. This approach is recommended and is in keeping with assessments for other offshore wind farm developments.
- 3.7.5 It is also welcomed that for disturbance effects, where a dose response curve approach is not possible due to a lack of information (paragraph 552), the potential for disturbance will use reported and observed disturbance ranges wherever there is the information to do so (including the Effective Deterrence Ranges (EDR) for harbour porpoise and the disturbance range for seal species due to piling as reported by Russell et al. (2016)).
- 3.7.6 The MMO does not support the use of proxy for disturbance. TTS constitutes a temporary reduction in the sensitivity of the auditory system. The characteristics of TTS are distinct from behavioural disturbance, in which an animal changes its behaviour in response to a stimulus. There is no cognitive impairment implicit in behavioural responses. TTS typically occurs at much higher sound exposures than the onset of behavioural disturbance, and so if behavioural disturbance is assumed to occur only at sound exposures where TTS would occur, this is likely to significantly underestimate the risk of disturbance. To quantify the risk of behavioural responses where there are no better alternatives, the EDRs in place for noise management in harbour porpoise SACs (Special Area of Conservation), could be used instead. Since harbour porpoise are relatively skittish and sensitive to underwater noise, the EDRs are likely to be conservative for other marine mammal species and are therefore a suitably precautionary option in the absence of other data (unlike using TTS as a proxy for disturbance).

Fish Receptors

- 3.7.7 It is appropriate that the potential impact of underwater noise and vibration during the construction phase on fish and shellfish receptors will be scoped into the EIA.
- 3.7.8 The applicant is proposing to scope out underwater noise and vibration during operation. The report notes that the main source of underwater noise during operation (in addition to ambient noise) originates from the wind turbine gearbox and generator, in addition to any surface vessels undertaking operation and maintenance (O&M) activities. The report states that . *“Monitoring studies of underwater noise from operational wind turbines have shown the noise levels from North Hoyle, Scroby Sands, Kentish Flats and Barrow wind farms to be only marginally above ambient noise levels (Stober and Thomsen, 2021). Operational noise impacts are considered highly unlikely to cause physical damage to fish or shellfish species (Nedwell et al., 2007a; Nedwell et al., 2007b; MMO, 2014) and it follows that any behavioural disturbance would be limited to the area immediately surrounding the wind turbines. Therefore, the potential impact of underwater noise and vibration on fish*



and shellfish receptors will be scoped out of the EIA.” At this stage, the MMO requests that this impact is scoped in to the EIA. While the MMO agrees that physical damage to fish or shellfish species is unlikely, the potential for disturbance and other effects such as masking should be considered.

- 3.7.9 Site-specific underwater noise modelling will be undertaken for the Project for all relevant potential underwater noise sources. It is appropriate that the Popper et al. (2014) guidelines will be used to inform noise impact thresholds for mortality, recoverable injury, and TTS on fish, larvae, and eggs. Hawkins et al. (2014) will also be used as a basis for a conservative 135 decibels (dB) single-strike sound exposure level (SELss) behavioural disturbance threshold in the case of spawning herring only. Whilst we acknowledge the limitations with the study, it is currently considered the best available evidence for predicting the range of behavioural effects in herring.
- 3.7.10 Due to a lack of empirical evidence on ‘fleeing’ speeds and directions in fish to underwater noise and vibration, we request that underwater noise modelling is based on a stationary receptor.

Benthic Receptors

- 3.7.11 For benthic receptors, underwater noise, and vibration from piling activity, only during the construction phase has been scoped in. Noise and vibration have been scoped out for all other sources during the construction and operation. For example, the report (paragraph 394) concludes that “other underwater noise sources during construction (e.g. vessel traffic) are unlikely to cause significant effects on benthic receptors. There is no evidence to suggest this low level of noise and vibration has a significant effect on benthic ecology.” The MMO believes a more robust justification is required which draws on the peer-reviewed literature. A recent review by Solan et al. (2023) concluded that “although the impact of noise pollution in marine invertebrates is understudied, an exhaustive and systematic revision of literature provided evidence that anthropogenic noise is detrimental not only to these species but also to the natural ecosystems they inhabit”, this should be addressed in the justification.

General comments

- 3.7.12 Section 7.6.3.1 and paragraph 545, discuss Unexploded Ordnance (UXO) clearance, noting a detailed UXO survey will be completed prior to construction. The exact type, size and number of possible detonations and duration of UXO clearance operations is therefore not known at this stage. A separate Marine License application(s) will be made prior to construction for UXO investigation and clearance works, with an accompanying assessment of UXO clearance impacts on Marine Mammals (and will include site-specific underwater noise modelling). A European Protected Species (EPS) licence (or Marine Wildlife Licence) will also be applied for in the case of UXO clearance being required. The MMO welcomes this approach.

For both piling and UXO clearances the MMO recommends early discussion on reducing the noise at source as much as possible and potential mitigation. Due to the development within English waters increasing, new policies and requirements may be required by developers and the MMO advises that these options are researched and are included in the Pre-Application documents and discussions. The MMO understands that SSE are part of wider discussions and welcomes this.



3.8 Seascape / Landscape

3.8.1 The MMO defers to Historic England, Natural England (as the SNCB) and relevant local planning authorities on the suitability of the scope of the assessment with regards to Seascape and Landscape.

3.9 Archaeology / Cultural Heritage

3.9.1 The MMO defers to Historic England on the suitability of the scope of the assessment with regards to Archaeology and Cultural Heritage impacts.

3.10 Navigation / Other Users of the Sea

3.10.1 The MMO defers to the Maritime Coastguard Agency (MCA) and Trinity House on the suitability of the scope of the assessment with regards to navigation of vessels.

3.11 Water Quality

3.11.1 The MMO defers to The Environment Agency on the suitability of the scope of the assessment with regards to water quality.

3.12 Dredging and Disposal

3.12.1 The MMO does not agree that the remobilisation of existing contaminated sediments should be scoped out for the operational phase of the Offshore ECC), or for the construction/operation of the Array Area at this stage.

3.12.2 The MMO notes that very little detail has been provided at this stage of the application in regard to the proposed dredging (including dredge depth and volume) for activities such as seabed preparation and sandwave levelling. As such, the MMO is unable to agree that the sediment sampling that has been undertaken is sufficiently representative of the material to be dredged within the DBD Array area; or that the potential impacts from remobilisation of existing contaminated sediment during the construction/maintenance phase of the DBD Array area can be scoped out at this stage of assessment.

3.12.3 MMO notes that the potential impacts for the remobilisation of existing contaminated sediments associated with operation and maintenance activities are scoped out of the EIA. The MMO does not agree this should be scoped out as little detail has been provided regarding any dredging that would likely be carried out during maintenance operations. Maintenance/repair works that will likely require dredging to be carried out during the project lifetime must be considered.

The MMO requests that the remobilisation of existing contaminated sediments for the operational phase of the Offshore ECC, and for the construction/operation of the DBD Array Area for multiple receptors (including benthic, fish and sediment and water quality) be scoped into the EIA. Further justification is required to scope these out.

3.12.4 The 2023 sediment sample results must be provided in the standard MMO template alongside the results for the (planned) Offshore ECC sampling in an MMO results template to support future assessment (Please see: <https://www.gov.uk/guidance/marine-licensing-sediment-analysis-and-sample-plans>). Details regarding the laboratories that undertook



the analysis, as well as the depths from which samples were collected should also be provided.

- 3.12.5 It is stated in section 7.4.3.1.3 - Remobilisation of Contaminated Sediments, that site specific sampling was undertaken in summer 2023 at 28 sample stations located in the DBD array area as well as areas between the Array area and the landfall (shown in figure 7-7 of the Scoping Report). It is not clear which locations are referred to in this figure. The MMO notes only one sediment sample (TB_4) is indicated to be within the DBD Array Area in Figure 7-7, but in section 7.3.7, the report states “site-specific sediment survey to include chemical contaminant analysis was undertaken as part of the wider benthic ecology survey requirement and will be reported as part of the benthic ecology assessment (see Chapter 7.4 Benthic and Intertidal Ecology)”. As such the MMO assumes the 28 sample stations are represented by a selection of the 2023 Benthic survey locations within the DBD Array area, however since there are more than 28 benthic survey locations indicated to be within the DBD Array area in Figure 7-7 it is not clear which of these has been included for sediment analysis. Please clarify the sediment sample locations within the EIA.
- 3.12.6 The MMO notes that the report does not appear to mention whether a disposal site will be designated for the array area and offshore EEC. In line with The Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) and the London Convention and London Protocol (LCLP), any deposition of material within the marine environment must be within a licenced disposal area, and therefore the MMO recommends consideration is given to this during the EIA and a Site Characterisation Report is provided. The MMO recommends two disposal sites as minimum.
- 3.12.7 An additional survey is planned to characterise the offshore ECC, including sediment and contaminant sampling. Please liaise further to obtain an agreed sample plan to ensure material is sufficiently characterised within the offshore ECC area. This will prevent further sampling being required at a later stage.
- 3.12.8 Further comments relating to sediments and impacts to benthic, or fisheries may be highlighted when further information is provided.

3.13 Population and Human Health

- 3.13.1 The MMO defers to the Local Planning Authority and UK Health Security Agency on the suitability of the scope of the assessment with regards to population and human health impacts.

4. Conclusion

The topics highlighted in this scoping opinion should be assessed during the EIA process and the outcome of these assessments should be documented in the EIA report in support of the deemed marine licence application and the planning application. This statement, however, should not necessarily be seen as a definitive list of all EIA (and HRA) requirements. Given the scale and program of these planned works, other information may prove necessary.

Yours Sincerely



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22 July 2024

Dear Mr Jones

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by Doggerbank Offshore Wind Farm, Project 4 Projco Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank D Wind Farm (the Proposed Development)

Scoping Report Consultation Response

Thank you for your letter dated 25 June 2024 requesting comments on the scoping report provided by Morgan Offshore Wind Limited. The MCA welcomes the opportunity to provide comments under the above Environmental Impact Assessment Regulations, and we would comment as follows:

The Environmental Impact Report should supply detail on the possible impact on navigational issues for both commercial and recreational craft, specifically:

- Collision Risk
- Navigational Safety
- Visual intrusion and noise
- Risk Management and Emergency response
- Marking and lighting of site and information to mariners
- Effect on small craft navigational and communication equipment
- The risk to drifting recreational craft in adverse weather or tidal conditions
- The likely squeeze of small craft into the routes of larger commercial vessels.

The development area carries a moderate amount of traffic which includes passenger vessels, oil and gas support vessels and cargo ships including tankers. Attention needs to be paid to routing, particularly heavy weather routing so that vessels can continue to make safe passage without large-scale deviations. The likely cumulative and in combination effects on shipping routes should be considered which will be an important issue going forward. It should consider the proximity to other windfarm developments, other infrastructure, and the impact on safe navigable sea room.

It is noted that a Navigational Risk Assessment will be submitted in accordance with MGN 654. This should be accompanied by a detailed MGN 654 Checklist which can be found at:

<https://www.gov.uk/guidance/offshore-renewable-energy-installations-impact-on-shipping>

We note in chapter 7.9 table 7-27 that a vessel traffic survey will be undertaken to the standard of MGN 654. We also note that the site-specific vessel traffic survey was undertaken in Summer 2023 and survey are planned in Winter 2024 and Summer 2025. The surveys will consist of a minimum of 28 days of seasonal

data (two x 14-day surveys) collected from a vessel-based survey using AIS, radar and visual observations to capture all vessels navigating in the study area. We would expect the details of these consultations to be included within the NRA. Kindly note for all OREI developments, subject to the planning process, the traffic survey must be undertaken within 24 months prior to submission of the DCO application. If the EIA Report is not submitted within 24 months an additional 14-day continuation survey data may be required for each subsequent 12-month period. Should there be a break in the continuation surveys, a new full traffic survey may be required, and the time period starts from the completion of the initial 28-day survey period.

The proximity to other offshore windfarms will need to be fully considered, with an appropriate assessment of the distances between OREI boundaries and shipping routes as per MGN 654. The cumulative impacts of other windfarms in close proximity, in particular the Dogger Bank A, Dogger Bank B, Dogger Bank C, Sofia and Dogger Banks South offshore wind farms will change routing. Attention must be paid for ensuring the established shipping routes within the area can continue safely without unacceptable deviations. Particular attention should be given to the oil and gas activity within the area.

The turbine layout design will require MCA approval prior to construction to minimise the risks to surface vessels, including rescue boats, and Search and Rescue (SAR) aircraft operating within the site. Any additional navigation safety and/or Search and Rescue requirements, as per MGN 654 Annex 5, will be agreed at the approval stage.

Attention should be paid to cabling routes and where appropriate burial depth for which a Burial Protection Index study should be completed and subject to the traffic volumes, an anchor penetration study may be necessary. If cable protection measures are required e.g. rock bags or concrete mattresses, the MCA would be willing to accept a 5% reduction in surrounding depths referenced to Chart Datum. This will be particularly relevant where depths are decreasing towards shore and potential impacts on navigable water increase, such as at the HDD location. We have noted that within paragraph 748 it is mentioned- Marine Guidance Note (MGN) 654 will be adhered to with respect to changes greater than 5% to the 'under-keel clearance' in consultation with the MCA and Trinity House. We would like to point out that this is changes greater than 5% to the 'surrounding depth' and not under keel clearance.

We understand from Section 3.4.2 that HVDC cables will be used for power transmission to shore, for HVDC cables, consideration must be given to the effect of electromagnetic deviation on ships' compasses. The MCA would be willing to accept a three-degree deviation for 95% of the cable route. For the remaining 5% of the cable route no more than five degrees will be attained. If an HVDC cable is being used, we would expect the applicant to do a desk based compass deviation study based on the specifications of the cable lay proposed and assess the effect of EMF on ship's compasses. If the above condition is not met, MCA may request for a deviation survey post the cable being laid.

Particular consideration will need to be given to the implications of the site size and location on SAR resources and Emergency Response Co-operation Plans (ERCoP). The report must recognise the level of radar surveillance, AIS and shore-based VHF radio coverage and give due consideration for appropriate mitigation such as radar, AIS receivers and in-field, Marine Band VHF radio communications aerial(s) (VHF voice with Digital Selective Calling (DSC)) that can cover the entire wind farm sites and their surrounding areas. A SAR checklist will also need to be completed in consultation with MCA, as per MGN 654 Annex 5 SAR requirements.

MGN 654 Annex 4 requires that hydrographic surveys should fulfil the requirements of the International Hydrographic Organisation (IHO) Order 1a standard, with the final data supplied as a digital full density data set, and survey report to the MCA Hydrography Manager. Failure to report the survey or conduct it to Order 1a might invalidate the Navigational Risk Assessment if it was deemed not fit for purpose.

On the understanding that the Shipping and Navigation aspects are undertaken in accordance with MGN 654 and its annexes, along with a completed MGN checklist, MCA is likely to be content with the approach.

Response to Scoping Questions

- Do you agree with the characterisation of the existing environment?
 - Yes.
- Have all the shipping and navigation impacts resulting from the Project been identified in the Scoping Report?

- Yes.
- Do you agree with the shipping and navigation impacts that have been scoped in for / out from further consideration within the EIA?
 - Yes.
- Have all the relevant data sources been identified in the Scoping Report?
 - Yes, we would like to also point out to the EMF effects of HVDC cables on ships magnetic compasses.
- Do you agree with the proposed assessment approach?
 - Yes.

Yours sincerely,
Vinu John



Navigation Policy Advisor
UK Technical Services - Navigation



Defence Infrastructure Organisation

Teena Oulaghan
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

Your Ref: EN010144

Telephone [MOD]: [REDACTED]

Our Ref: DIO10059911

E-mail: [REDACTED]@mod.gov.uk

Joseph Jones
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

22 July 2024

By email only

Dear Joesph,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11.

Application by Doggerbank Offshore Wind Farm, Project 4 Projco Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank D Wind Farm (the Proposed Development).

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

Thank you for consulting the Ministry of Defence (MOD) on the above Scoping Opinion request in respect of the Dogger Bank D Offshore wind farm development. The consultation was received by this office on 25 June 2024.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the MOD as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The scoping report provided, which has document number PC3991-RHD-ZZ-ZZ-RP-Z-0006 and is dated 24 June 2024, sets out an indicative description of both the form and location of the proposed development. The proposed wind farm would be located approximately 210km off the north-east coast of England, in the North Sea. The development would will comprise: an array containing a maximum of 122 wind turbine generators (WTGs) (each made up of a tower section, nacelle and three rotor blades, as well as the associated support structures and foundations) with a maximum blade tip height of 370 metres above mean sea level (amsl), up to three offshore substation platforms (OSPs), inter-array cables linking WTG's to OSP's, a maximum of four export cables from OSP to Transition Joint Bays (TJB) at landfall, and a maximum of four onshore export cables from TJB to Onshore Converter Station(s) (OCS(s)) to Birkhill Wood Substation in the East Riding of Yorkshire.

The EIA scoping report addresses both onshore and offshore elements and identifies subject areas that are to be addressed through the consenting process. The EIA Scoping Report acknowledges some of the principal defence issues relevant to MOD consideration of the proposed development.

I write to confirm the safeguarding position of the MOD on information that should be provided in the Environmental Statement to support any application.

Military Aviation

Impact on military activity has been recognised in Chapter 7.10 Aviation, Radar and Military, specifically within section 7.10.2.2. At paragraph 797, the developer has identified that the proposed export cable route would pass through Danger Area D412 (Staxton). This danger area extends from surface to 10,000ft amsl and is used for ordnance, munitions, and explosives. The MOD has concerns that development within this area may impact on Defence activities and operations and as such must be consulted at future application stages.

Paragraph 798 acknowledges that parts of the development are proposed beneath Danger Area D323. D323 extends from Flight Level 50 (approx. 5000ft amsl) up to Flight Level 660 (approx. 66,000ft amsl) and activity within this area may include high energy manoeuvres, ordnance, munition and explosives, electrical/optical hazards, and unmanned aircraft systems operating beyond visual line of sight. The MOD would be concerned where development exceeds a height of 1000ft amsl (307.8m). The maximum blade tip height proposed is approximately 1213.9ft amsl (370m) and as such the MOD has concerns that development within this area may impact on Defence activities and operations and as such must be consulted at future application stages.

Paragraph 800 identifies that parts of the development are proposed beneath Area 07, an air-to-air refueling area which extends from Flight Level 100 (approx. 10,000ft amsl) up to Flight Level 290 (approx. 29,000ft amsl). The MOD has identified no concerns with regard to any impact of the development on Area 07.

Air Traffic Control

Section 7.10.1 makes reference to the MOD radars, at paragraph 783 the report states that, in general, Primary Surveillance Radars (PSR) are installed on civil and military airfields and have an operational range of between 40 nautical miles (nm) and 60nm.

The potential impacts of wind turbine development on the operation and capability of radar systems are set out in section 7.10.3 of the Scoping Report. Paragraphs 806 and 815 identify that, given the location of the development, impacts on the military radars are scoped out of the Environmental Impact Assessment. MOD has no objection to this conclusion.

Air Defence Radar

Paragraph 786 identifies that Air Defence (AD) radars are required to provide coverage at ranges in excess of 60nm. The report states that Radar Line of Sight (RLoS) modelling undertaken for the project indicates that wind turbines and other tall obstacles within the Dogger Bank D array area would not be visible to any AD radars. Following assessment, the MOD agrees with this conclusion.

Military Low Flying

The potential for the development to create physical obstructions to military low flying aircraft activities is acknowledged within Chapter 7.10 Aviation, Radar and Military, Paragraph 7.10.3.2.3 (817 and 818). To mitigate any potential impact, it is common practice that the MOD will request that a Requirement is added to any Development Consent Order that might be issued requiring the submission of information

such as commencement dates, maximum turbine heights and the longitude and latitude of each wind turbine. This information is required to allow accurate charting of the development.

Table 7-30 acknowledges lighting of offshore developments requirements to be scoped in. The MOD agrees with this conclusion.

Unexploded Ordnance (UXO)

The potential for unexploded ordnance (UXO) to be present within the development area and the necessity for clearance should be considered. The potential presence of UXO and disposal sites should be a consideration during the installation and decommissioning of turbines, cables, and any other infrastructure, or where other intrusive works are necessary.

Onshore development Area

MOD have identified no concerns with regard to the onshore element of the proposed development.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours faithfully



Teena Oulaghan
Safeguarding Manager

Submitted via email to: DoggerBankD@planninginspectorate.gov.uk

23/07/2024

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by Doggerbank Offshore Wind Farm Project 4 Projco Limited (the Applicant) for an Order granting Development Consent for the Dogger Bank D Wind Farm (the Proposed Development)

I refer to your email dated 25/06/2024 regarding the above proposed DCO. This is a response on behalf of National Gas Transmission (NGT). Having reviewed the scoping consultation documents, NGT wishes to make the following comments regarding gas infrastructure which may be affected by proposals.

NGT has many feeder mains and property located within or in proximity to the Order limits. Details of this infrastructure is as follows:

- Feeder Main – FM09 – Easington to Dimlington
- Feeder Main – FM09 – Easington to Langeled
- Feeder Main – FM09 – Easington to Paull
- Feeder Main – FM01 – Easington to Paull
- Feeder Main – FM19 – Easington to Paull
- Feeder Main – FM24 – Easington to Paull
- Feeder Main – FM29 – Easington to Ganstead
- Feeder Main – FM06 – Sproatley to Aldbrough
- Feeder Main – FM06 – Burton Agnes to Paull
- Feeder Main – FM29 – Easington to Ganstead
- Feeder Main – FM06 – Paull to Saltend
- Feeder Main – FM06 – Rosehill Spur
- Feeder Main – FM01 – Paull to Skitter (Abandoned)
- Feeder Main – FM09 – Paull to East Marsh Ln
- NGT Ownership – YEA14202
- NGT Ownership – YEA40343
- NGT Ownership – YEA17351
- NGT Ownership – YEA42436
- NGT Ownership – YEA57339

- NGT Ownership – YEA3669
- NGT Ownership – YEA27549
- NGT Ownership – YEA63281
- NGT Ownership – YEA59315
- NGT Ownership – YEA100907
- NGT Ownership – YEA103267
- NGT Ownership – YEA103266
- NGT Property – S5147
- NGT Property – S5250
- Cathodic Protection Groundbeds/TR
- Ancillary apparatus

Please note that NGT has existing easements for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

You should also be aware of NGT's guidance for working in proximity to its assets, further guidance and links are available as follows.

CATHODIC PROTECTION SYSTEM

To ensure a high level of safety and reliability in operation, National Gas Transmission's assets are protected by a cathodic protection system. It is essential that buried steel pipework associated with the transmission and distribution of natural gas is designed, installed, commissioned and maintained to withstand the potentially harmful effects of corrosion and that the corrosion control systems employed are monitored to ensure continued effectiveness. Installations in the vicinity of National Gas Transmission's assets which may potentially interfere with the cathodic protection system must be assessed and approved by National Gas Transmission, and appropriate control measures must be put in place where required.

Installations which have the potential to interfere with National Gas Transmission's Cathodic protection system include (but are not limited to):

1. High voltage cable crossings and parallelism
2. High voltage ac pylon parallelism
3. Battery Energy Storage Systems
4. Third party pipelines with cathodic protection systems
5. PV Solar arrays

Further information on D.C interference can be found in UKOPA/GPG/031 Edition C Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx

[Microsoft Word - UKOPA GPG 031 DC Interference Ed 1.docx](#) (hold ctrl and click to access) Further information on A.C. interference can be found in UKOPA/GPG/027 UKOPA Good Practice Guide [UKOPA Good Practice Guide](#) (hold ctrl and click to access)

The safe limits for transfer voltage and impressed current that a high-pressure gas pipeline can be exposed to are outlined in T/PL/ECP/1, T/PL/ECP/2 and BS EN 50122-1. These are the safe limits for non-electrically trained personnel.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGT's apparatus, NGT will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.

Key Considerations:

- NGT has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.
- Please be aware that written permission is required before any works commence within the NGT easement strip. Furthermore a Deed of Consent will be required prior to commencement of works within NGT's easement strip subject to approval by NGT's plant protection team.
- Any large installations which may result in a large population increase in the vicinity of a high pressure gas pipeline must comply with the HSE's Land Use Planning methodology, and the HSE response should be submitted to National Gas Transmission for review
- The below guidance is not exhaustive and all works in the vicinity of NGT's asset shall be subject to review and approval from NGT's plant protection team in advance of commencement of works on site.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGT's Dial Before You Dig Specification for Safe Working in the Vicinity of NGT Assets. There will be additional requirements dictated by NGT's plant protection team.
- NGT will also need to ensure that its pipelines remain accessible during and after completion of the works.
- Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGT representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of NGT High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGT representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.
- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGT's Plant Protection team is essential:
 - Demolition
 - Blasting
 - Piling and boring

- Deep mining
- Surface mineral extraction
- Landfilling
- Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
- Wind turbine installation - minimum separation distance of 1.5x the mast/hub height is required, and any auxiliary installations such as cable or track crossings will require a deed of consent.
- Solar farm installation
- Tree planting schemes

Traffic Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- Permanent road crossings will require a surface load calculation, and will require a deed of consent.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGT prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGT pipeline without the prior permission of NGT
- NGT will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGT.
- An NGT representative shall monitor any works within close proximity to the pipeline to comply with NGT specification T/SP/SSW22

New Asset Crossings:

- New assets (cables/pipelines etc) may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- The separation distance for a cable >33kV is 1000mm and pre and post energisation surveys may be required at National Gas Transmission's discretion. A risk assessment/method statement will need to be provided to, and accepted by National Gas Transmission prior to the deed of consent being agreed. Where a new asset is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

- A new service should not be laid parallel within an easement strip
- Clearance must be at least 600mm above or below the pipeline
- An NGT representative shall approve and supervise any cable crossing of a pipeline.
- A Deed of Consent is required for any cable crossing the easement

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGT apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO. NGT requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection.

Adequate access to NGT pipelines must be maintained at all times during construction and post construction to ensure the safe operation of our network.

Yours Faithfully

Asset Protection Team

Further Safety Guidance

To download a copy of the HSE Guidance HS(G)47, please use the following link:

<https://www.hse.gov.uk/pubns/books/hsg47.htm>

Working Near National Gas Assets

<https://www.nationalgas.com/land-and-assets/working-near-our-assets>

Specification for Safe Working in the Vicinity of National Gas High Pressure Pipelines and Associated Installations

<https://www.nationalgas.com/document/82951/download>

Tree Planting Guidance

<https://www.nationalgas.com/document/82976/download>

Excavating Safely

<https://www.nationalgas.com/document/82971/download>

Dial Before You Dig Guidance

<https://www.nationalgas.com/document/128751/download>

Essential Guidance:

<https://www.nationalgas.com/gas-transmission/document/82931/download>

Solar Farm Guidance

<https://www.nationalgas.com/document/82936/download>

Windfarm. The following information has been provided and is the subject of this review:

- Dogger Bank D Scoping Report Parts 1 & 2 – June 2024

1.2 On the basis of this review, this JSJV Technical Memorandum [TM] comments on the suitability of the information with discussion provided in relation to the details relevant to understanding the impacts of the proposals at the Strategic Road Network [SRN].

2 Development proposals and site location

2.1 The Scoping Report has been prepared to support a request for an Environmental Impact Assessment [EIA] Scoping Opinion from the Planning Inspectorate for the proposed Dogger Bank D Offshore Windfarm.

2.2 The on-shore component of the development is largely composed of electrical infrastructure installations across the East Riding of Yorkshire situated to the approximate north-east and south-west of Beverley. The most immediate extent of the development infrastructure to the Strategic Road Network [SRN] lies approximately 6 miles north of the A63 to the south of Hull. The approximate location of the site in respect of the SRN can be seen in the figure on page 1.

2.3 With a view to the above, given the location of the development site, it is advised that National Highways will need to understand the likely traffic impact of the proposals upon the SRN at the A63 SRN junctions immediate to Hull.

3 Site history

3.1 To date, detailed as part of JSJV DevHU0018 TM003, JSJV have provided initial high-level commentary on the following:

- (1) Dogger Bank D – Approach to Evidence Plan Process;
- (2) Dogger Bank D – Evidence Plan Process Terms of Reference; and
- (3) Dogger Bank D – Consultation Booklet.

4 Scoping Report – Traffic & Transport

Policy & Guidance

4.1 While not identified within the Scoping Report, JSJV would highlight the role that DfT Circular 01/2022 should play with regards to how National Highways will engage with the development industry, public bodies and communities to assist the delivery of sustainable development.

Methodology of Environmental Assessment

4.2 The proposed methodology for determining the potential construction / operational impact of the proposed development upon key environmental receptors (severance, delay, fear and intimidation, etc) is considered to be generally sufficient for the scope of the EIA as required. Moreover, with regards to the methodology of the assessment of the magnitude of highway impact, JSJV acknowledge that the parameters presented within the EIA are appropriate for the scope of assessment necessitated by EIA requirements.

Potential Impacts During Construction

4.3 While not discussed in detail within the Scoping Report, moving forward JSJV would expect that an outline Construction Traffic Management Plan [CTMP] would be prepared in support of any DCO submission. At a high level, JSJV would recommend that the following points are taken into consideration at the point of CTMP preparation:

- (1) With regards to the detailed assessment of the scheme construction at the SRN, the impact of the proposed development over the construction phase must be understood in terms of absolute two-way flows during both weekday morning and evening network peak hours. A daily expected profile of construction vehicle movements should be provided for the lifecycle of the construction phase.
- (2) Detail as to proposed construction staff shift patterns, staff numbers, staff residence / distribution and staff modal habits will need to be confirmed as part of an outline CTMP.
- (3) Should the Applicant be willing to commit to ensuring that minimal construction trips (HGV or staff) be undertaken over the AM / PM network peak hours, this would ensure minimal impact on the SRN. The CTMP will need to ensure that any network peak hours considered for avoidance align to the peak hour(s) operation of the SRN immediate to each respective construction site. Any commitments regarding the arrival / departure times of construction vehicles and staff can be secured through a final CTMP.
- (4) JSJV would strongly recommend that any final CTMP contain a detailed construction staff / vehicle trip monitoring methodology which will provide detail on how the adherence to any secured staff shift periods / movements will be monitored, in addition to detail as to what adjustive / remedial measures will be implemented should construction movements be considered to materially breach any imposed shift period movement restriction.
- (5) The appropriateness of any network baseline flows will only be commented on by JSJV at such a point whereby the proposed development is considered to incur a material impact at an SRN junction (via operational or construction phase), and subsequent junction modelling and / or consideration of the network's safety record is required, if such scenarios arise\
- (6) At the point at which development highway impact can be agreed with National Highways, the composition of any junction specific modelling, if necessary (inclusive of future year growth rates, inter alia), can be agreed at this stage. JSJV maintain however that should a final CTMP contain sufficient commitment to securing construction shift times and peak hour staff movements associated with the development construction, the need to undertake any detailed junction impact modelling at the SRN may not necessarily be required.

Abnormal Loads

In line with discussions to date and the content of the Scoping Report, JSJV acknowledge that the Applicant has provided suitable comfort that the correct abnormal loads procedure will be followed with respect to National Highways requirements at the SRN. Moving forward, it is advised that the applicant directly discusses any further matters pertaining to AIL movements with the National Highways Abnormal Indivisible Loads team (AbnormalIndivisibleLoadsTeam@nationalhighways.co.uk).

Potential Impacts During Operation

- 4.4 The Scoping Report confirms that any inspections / maintenance of the onshore export cables will be infrequent and subject to very low vehicle demand. Infrastructure within the on-shore zone is proposed to be manned by two operatives or potentially unmanned. In both cases a minimal staff presence is expected to carry out routine maintenance.

Moving forward, JSJV acknowledge that any highway impacts associated with the site operation can be scoped out of further assessments.

Potential Impacts During Decommissioning

- 4.5 At a high level, the impact of the decommissioning phase is expected to reflect that of the construction phase. Moving forward, JSJV note that any traffic flows / development impacts arising from future site decommissioning would need to be confirmed with National Highways before this matter can be scoped out of any future assessments. Accordingly, a suitable planning requirement (on any permission granted) securing the production of a Decommissioning Traffic Management Plan, as and when necessary, would be considered appropriate.

From: [NATS Safeguarding](#)
To: [Dogger Bank D](#)
Subject: RE: EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Consultation [SG35242]
Date: 27 June 2024 12:12:19
Attachments: [~WRD0000.jpg](#)
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Our Ref: SG35242

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully



NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



NATS Public

From: Dogger Bank D <DoggerBankD@planninginspectorate.gov.uk>

Sent: Tuesday, June 25, 2024 3:33 PM

Subject: [EXTERNAL] EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Consultation

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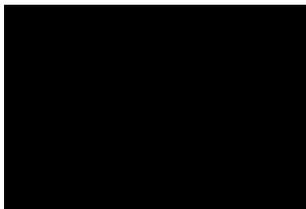
Dear Sir/Madam

Please see attached correspondence on the proposed Dogger Bank D Offshore Wind Farm.

Please note the deadline for consultation responses is 23 July 2024, which is a statutory requirement that cannot be extended.

Kind regards

Joseph Jones



Joseph Jones | Associate EIA Advisor
The Planning Inspectorate

Tel: [Redacted]



@PINSgov



The Planning Inspectorate



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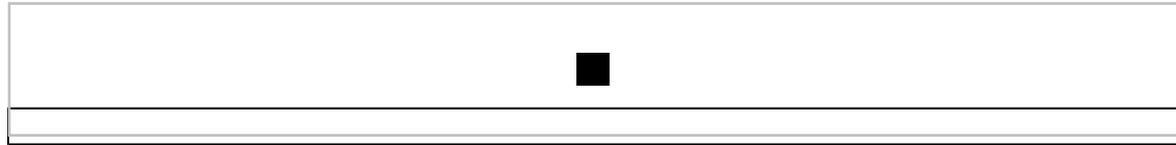
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Date: 23 July 2024
Our ref: 480347
Your ref: EN010144



Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

Natural England
Lateral
8 City Walk
Leeds LS11 9AT

BY EMAIL ONLY

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by SSE Renewables and Equinor (the Applicant) for an Order granting Development Consent for the Dogger Bank D Offshore Wind Farm (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter dated 25th June 2024 consulting Natural England on the Dogger Bank D Offshore Wind Farm (DBD OWF) Environmental Impact Assessment (EIA) Scoping Report. Natural England recognise this EIA Scoping Report is an updated version of the Project's 2023 EIA Scoping Report (on which Natural England provided comments on 19 May 2023). This follows significant refinement of the Project's proposed transmission assets. The following constitutes Natural England's formal statutory response; however, this is without prejudice to any comments we may wish to make in light of further submissions or on the presentation of additional information.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

The advice contained within this letter is provided by Natural England, which is the statutory nature conservation body within English territorial waters (0-12 nautical miles). As the application is located partially outside English territorial waters we have also sought advice from JNCC, the statutory nature conservation body in offshore UK waters (beyond 12 nautical miles), for impacts relating to the Dogger Bank Special Area of Conservation (SAC). It should be noted that pursuant to an authorisation made on the 9th December 2013 by the JNCC under paragraph 17(c) of Schedule 4 to the Natural Environment and Rural Communities Act 2006, Natural England is authorised to exercise the JNCC's functions as a statutory consultee in respect of applications for offshore renewable energy installations in offshore waters (0-200 nm) adjacent to England. This application was included in that authorisation and therefore Natural England will be providing statutory advice in respect of that delegated authority.

Case law¹ and guidance² has stressed the need for a scientifically robust set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant

planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Overarching Advice

1. Plan-Level status and implications for strategic and project level compensation

Until the Plan Level HRA process for the Capacity Increase Programme (CIP) has concluded (Early 2025) Natural England is unable to advise further on the compensation requirements at both the Plan and Project level for this project. Considering existing impacts in the Dogger Bank SAC and the conclusion of the R4 Plan Level HRA we recognise that there is a high probability of Adverse Effects on Integrity (AEol) conclusions being drawn at a Plan-Level due to the benthic impacts of DBD on Dogger Bank SAC alone. In this instance, recourse to the Habitats Regulations derogations would be needed and thorough consideration of 'Alternatives test'. We highlight that there are further case complexities associated with the legal status of this project at the time of scoping and potentially at PEIR which are likely to have implications on any nature conservation advice we provide on the scale and significance of impacts of this project over the coming months.

In addition, noting the current challenges the SNCBs are facing in advising on the R4 Benthic compensation for Dogger Bank South projects as they enter examination, we would welcome sufficient time being allocated to allow for each procedural process to satisfactorily conclude prior to initiating discussion on the next step and/or submitting the Application. For example, in order to ensure compensation measures are sufficient and adequately secured, we recommend the conclusion of the CIP Plan level HRA occurs before discussing any subsequent provisions for Plan level compensation and then finally discussing the development of project level compensation

2. Transmission assets

Natural England welcome the significant refinement of the Project's proposed transmission and connection assets. The removal of multiple options (i.e. Hydrogen and NGET Offshore Collector Platform connections) being progressed simultaneously increases the likelihood of the Environmental Statement (ES) providing a more realistic assessment of environmental impacts of the Project, in line with the Rochdale Envelope approach.

We are provisionally supportive of the proposed radial grid connection at Birkhill Wood Substation, subject to full review of baseline survey data and noting our more detailed comments in Annex C. However, we think further clarity is needed in explaining how an Offshore Hybrid Asset (OHA) may be integrated within the Project. Our understanding is that an OHA may tie into the offshore infrastructure indicated within the WCS, but further clarification on this will be required in due course and ultimately clearly set out in the submitted ES. Additionally, it is not clear whether the inter-connector cables required for an OHA have been considered within the worst-case scenario parameters, which again would need addressing in the ES. We appreciate that many design details of the OHA are unknown to the Applicant at this stage, but we cannot provide detailed scoping advice on this aspect of the Project in the absence of this information. These matters will need to be fully understood and explored through the Evidence Plan Process. An indication of how and when a decision regarding the OHA will be reached would also be welcome.

Natural England recognise that the developer has re-routed the proposed export cable corridor (ECC) in order to reduce impacts on the Dogger Bank SAC, which is welcomed, though adverse effects on the SAC will nevertheless arise. We also note that the scoping area currently retains flexibility to account for potential changes to the Dogger Bank SAC boundaries. However, our advice on this matter is subject to change based on review of baseline survey data, as and when it becomes available, and noting our more detailed comments in Annex C.

3. Data validity

Since the Round 3 Plan Level HRA and Teesside A and B EIAs were conducted (between 9 and 11 years ago) technology has advanced, as has our understanding of the status and management of affected designated sites and the impacts associated with offshore wind. Construction technologies are available now that were not included in these original assessments and the volume of consented infrastructure to be considered has significantly increased. Furthermore, as Dogger Bank C is not yet operational, the conclusions made in the Teesside A and B EIA have not been validated. We welcome a proportionate approach being taken to the EIA where appropriate, but have limited confidence in datasets from those previous EIAs being relied upon to draw conclusions for the current project without evidence being provided to demonstrate that they remain relevant. We therefore would not support impacts being scoped out at this stage for Dogger Bank D based on conclusions made in the Teesside A and B Environmental Statement.

Natural England would also like to highlight that the Project's application timeline has been delayed due to the re-scoping of its transmission assets, meaning that the Applicant now intends to submit its DCO Application in 2026. By then, some of the data to inform the ornithology and marine mammal baseline characterisation (collected between October 2021 – September 2023) will be at, or approaching, five years old. We have concerns over whether this data will be a true reflection of the actual baseline environment by that point, especially given how the construction and operation of neighbouring windfarms may impact bird populations. We are currently in discussion with the Applicant, through our Evidence Plan Process (EPP), to explore whether additional data collection may be required.

4. Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards

Natural England has been leading the 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' project, funded by Defra's Offshore Wind Enabling Actions Programme (OWEAP).

The project is providing up-front best practice advice on the way data and evidence is used to support offshore wind farm development and consenting in English waters, focussing on the key ecological receptors which pose a consenting risk for projects, namely seabirds, marine mammals, seafloor habitats and species and fish.

The project aims to facilitate the sustainable development of low impact offshore wind by increasing clarity for industry, regulators and other stakeholders over data and evidence requirements at each stage of offshore wind development, from pre-application through to post-consent.

The advice documents are currently stored on a SharePoint Online site, access to the SharePoint site needs to be requested from neoffshorewindstrategicsolutions@naturalengland.org.uk. Please allow up to three working days for requests to access the site to be granted. Natural England is currently reviewing ways of making the advice more accessible and open access.

Natural England advises that the ES should be fully informed by the recommendations in the Best Practice Advice and we will increasingly be appraising ESs with respect to the extent to which the guidance has been followed.

Further guidance on EIA is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again if the proposal is amended in any way which significantly affects its impact on the natural environment.

The following Annexes are attached at the end of this letter for further information:

- **Annex A** for guidance on EIA requirements
- **Annex B** for our response to 'Scoping Questions to Consultees'
- **Annex C** for a detailed comments table on the Scoping Report
- **Annex D** for bird survey guidance on functionally linked land
- **Annex E** for Humber Estuary SPA component species

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

For any queries relating to the specific advice in this letter please contact me using the details below.

Yours faithfully,

Janie Latchford



Marine Lead Advisor – Major Casework
Yorkshire and North Lincolnshire Team
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Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 / Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (Regulation 10) sets out the necessary information to assess impacts on the natural environment to be included in an Environmental Statement (ES), specifically:

- A description of the development – including physical characteristics and the full marine use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape/seascape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

1.1 Cumulative and in-combination effects

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure and activities should be included within the assessment.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects;
- b. approved but uncompleted projects;
- c. ongoing activities;
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

Natural England's advice on the scope and content of the Environmental Statement is given in accordance with the National Infrastructure Planning Advice Notes:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

1.2 Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at: <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk.

Natural England's Site of Special Scientific Interest (SSSI) Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local wildlife trust, local geo-conservation group or other recording society.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. [Guidelines](#) for Ecological Impact Assessment (EclA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The [National Planning Policy Framework \(NPPF\)](#) sets out guidance in paragraphs 174-175 and 179-182 on how to take account of biodiversity interests in planning decisions and the framework that the responsible authority should provide to assist developers. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

2.2 Internationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. Internationally designated sites (e.g. designated Special Areas of Conservation (SAC) and Special Protection Areas (SPA)) fall within the scope of the Conservation of Habitats and Species Regulations 2017 (as amended). In addition paragraph 181 of the National Planning Policy Framework requires that potential Special Protection Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites. (NB. sites falling within the scope of regulation 8 of the Conservation of Habitats and Species Regulations 2017 are defined as 'habitats sites' in the NPPF).

The Generation assets of the development are within the following internationally designated nature conservation sites:

- Dogger Bank SAC

The Transmission assets of the development are within/ in proximity to the following internationally designated nature conservation sites:

- Greater Wash Special Protection area (SPA)
- Southern North Sea Special Area of Conservation (SAC)
- Humber Estuary SAC, SPA and Ramsar site
- Hornsea Mere SPA
- Flamborough Head SAC
- Flamborough and Filey Coast SPA

The ES should include a full assessment of the direct and indirect effects of the development on the features of special interest within these sites, and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Internationally designated site conservation objectives are available on our internet site: <http://publications.naturalengland.org.uk/category/6490068894089216>.

2.3 Habitats Regulations Assessment

If the proposal outlined within the scoping document has the potential to significantly affect features of the internationally designated sites and the activity is not directly connected to the management of any designated site it should be assessed under Regulation 63 the Conservation of Species and Habitats Regulations (2017) (as amended) and Regulation 28 of the Conservation of Offshore Species and Habitats regulations (2017) (as amended). Should a Likely Significant Effect on an internationally designated site be identified or be uncertain, the competent authority for the licence/consent (the Marine Management Organisation / Government Department) should undertake an Appropriate Assessment of the implications for the site in view of its conservation objectives, in addition to consideration of impacts through the EIA process. Noting recent case law (People Over Wind¹) measures intended to avoid and/or reduce the likely harmful effects on an internationally designated sites cannot be taken into account when determining whether or not a plan or project is likely to have a significant effect on a site, therefore consideration is required at Appropriate Assessment. Natural England wishes to be consulted on the scope of the Habitats Regulations Assessment and the information that will be produced to support it and should be formally consulted on any Appropriate Assessment provided for the proposal (Regulation 63).

The consideration of Likely Significant Effects should include any functionally linked habitat outside the designated site. These areas may provide important habitat for mobile species populations that are qualifying features of the site, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a designated site, for example by being linked hydrologically or geomorphologically. Further guidance is set out in Planning Practice Guidance on appropriate assessment here: <https://www.gov.uk/guidance/appropriate-assessment>.

Further information on the special interest features, their conservation objectives, and any relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/>; and the Joint Nature Conservation Committee (JNCC) website [About Marine Protected Areas | JNCC - Adviser to Government on Nature Conservation](#).

2.4 Nationally Designated Sites

Sites of Special Scientific Interest (SSSI) - The Generation assets and Offshore Transmission assets of the Project do not fall within or adjacent to any nationally designated sites.

The Onshore Transmission assets of the development are within/adjacent to the Burton Bushes; Hornsea Mere; Bryan Mill Field; Leven Canal; Withow Gap; and Skipsea Bail Mere Sites of Special Scientific interest (SSSI).

Further information on the location of SSSIs and their special interest features can be found at www.magic.gov.uk. The ES should include a full assessment of the direct and indirect effects of the

development on the features of special interest within all identified sites and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Marine Conservation Zones - Marine Conservation Zones are areas that protect a range of nationally important, rare or threatened habitats and species. You can see where MCZs are located and their special interest features on www.magic.gov.uk. Factsheets that establish the purpose of designation and conservation objectives for each of the MCZ's are available at <https://www.gov.uk/government/collections/marine-conservation-zone-designations-in-england>

The Offshore Transmission assets of the development are within the following Marine Conservation Zones:

- Holderness Inshore MCZ
- Holderness Offshore MCZ

The ES should consider including information on the impacts of this development on MCZ interest features, to inform the assessment of impacts on habitats and species of principle importance for this location. Further information on MCZs is available via the following link: <http://publications.naturalengland.org.uk/category/1723382>

Further information on the special interest features, the conservation objectives, and relevant conservation advice packages for designated sites is available on our website <https://designatedsites.naturalengland.org.uk/>

2.5 Regionally and Locally Important Sites

The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geo-conservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The ES should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust(s), geo-conservation group(s) or local sites body in onshore areas of search for further information.

2.6 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2017 (as amended)

The ES should assess the impact of all phases of the proposal on protected species (including, for example, pinnipeds (seals), cetaceans (including dolphins, porpoises whales), fish (including seahorses, sharks and skates), marine turtles, birds, marine invertebrates, bats, etc.). Information on the relevant legislation protecting these species can be reviewed on the following link <https://www.gov.uk/government/publications/protected-marine-species>. Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, [NBN Atlas](#), groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

In order to provide this information there may be a requirement for a survey at a particular time of year. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants.

For Land Based Impacts: Natural England has adopted standing advice for protected species which includes links to guidance on survey and mitigation.

2.7 Habitats and Species of Principal Importance

The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here <https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-tohttps://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversityconserving-biodiversity>.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration...in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

For Developments with a Land based element

Natural England advises that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present. In addition, ornithological, botanical and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (e.g. whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.8 Contacts for Local Records

Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geo-conservation group or other recording society and a local landscape characterisation document)

2.9 Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The ES should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

2.10 Biodiversity Net Gain

The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

2.11 Soils and agricultural land quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or

biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

3. Designated Landscapes and Landscape/Seascape Character

3.1 Landscape/Seascape and visual impacts

Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape/seascape assessment methodologies. We encourage the use of Landscape and Seascape Character Assessment (LCA/SCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA/SCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

Natural England supports the publication *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition). The methodology set out is almost universally used for landscape and visual impact assessment. For National Parks and Areas of Outstanding Natural Beauty (AONBs), we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

In order to foster high quality development that respects, maintains, or enhances, local landscape / seascape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant National Character Areas, Marine Character Areas, and Landscape/Seascape Character Assessments at a local level.

4. Access and Recreation

Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks

and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green/blue infrastructure. Relevant aspects of local authority green/blue infrastructure strategies should be incorporated where appropriate.

4.1 England Coast Path

The England Coast Path (ECP) is a new National Trail that will extend around all of England's coast with an associated margin of land predominantly seawards of this, for the public to access and enjoy. Natural England takes great care in considering the interests of both land owners/occupiers and users of the England Coast Path, aiming to strike a fair balance when working to open a new stretch. We follow an approach set out in the approved Coastal Access Scheme and all proposals have to be approved by the Secretary of State. We would encourage any proposed development to include appropriate provision for the England Coast Path to maximise the benefits this can bring to the area. We suggest that the development includes provision for a walking or multi-user route, where practicable and safe. This should not be to the detriment of nature conservation, historic environment, landscape character or affect natural coastal change. Consideration for how best this could be achieved should be made within the Environmental Statement.

As part of the development of the ECP a 'coastal margin' is being identified. The margin includes all land between the trail and the sea. It may also extend inland from the trail if:

- it's a type of coastal land identified in the Countryside and Rights of Way Act 2000 (CROW Act), such as beach, dune or cliff
- there are existing access rights under section 15 of the CROW Act
- Natural England and the landowner agree to follow a clear physical feature landward of the trail

Maps for sections of the ECP and further proposals for adoption are available here:

<https://www.gov.uk/government/collections/england-coast-path-improving-public-access-to-the-coast>

4.2 Rights of Way, Access land, Coastal access and National Trails

The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. The National Trails website www.nationaltrail.co.uk provides information including contact details for the National Trail Officer. Appropriate mitigation measures should be incorporated for any adverse impacts. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Water Quality

Increases in suspended sediment concentrations (SSC) during construction and operation (e.g. future dredging works) have the potential to smother sensitive habitats. The ES should include information on the sediment quality and potential for any effects on water quality through suspension of contaminated sediments. The EIA should also consider whether increased suspended sediment concentrations resulting are likely to impact upon the interest features and supporting habitats of the designated sites as listed above.

The ES should consider whether there will be an increase in the pollution risk as a result of the construction or operation of the development.

For activities in the marine environment up to 1 nautical mile out at sea, a Water Framework Directive (WFD) assessment is required as part of any application. The ES should draw upon and report on the WFD assessment considering the impact the proposed activity may have on the immediate water body and any linked water bodies. Further guidance on WFD assessments is available here: <https://www.gov.uk/guidance/water-framework-directive-assessment-estuarine-and-coastal-waters>

6. Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological networks that are more resilient to current and future pressures' (NPPF Para 174), which should be demonstrated through the ES.

Further information is available from the Committee on Climate Change's (CCC) Independent Assessment of UK Climate Risk, the National Adaptation Programme (NAP), the Climate Change Impacts Report Cards (biodiversity, infrastructure, water etc.) and the UKCP18 climate projections.

Annex B – Scoping Questions to Consultees

Here we address the questions posed to consultees throughout the Scoping document.

Marine Physical Processes	
Do you agree with the characterisation of the existing environment?	We consider that the characterisation of the existing environment is missing some key features. Please see Annex C Section 7.2 for detailed comments below.
Have all the marine physical processes impacts resulting from the Project been identified in the Scoping Report?	We consider that all relevant marine physical processes have been identified / acknowledged, but recommend that some of these should be further thinned out and assessed separately rather than grouped together. Please see Annex C Section 7.2 for detailed comments below.
Do you agree with the marine physical processes impacts that have been scoped in for / out from further consideration within the EIA?	We do not agree with all of the marine physical processes that have been scoped out from further consideration, including impacts on wave and tidal currents at the nearshore, and impacts of suspended sediment concentrations during construction in the intertidal zone. Please see Annex C Section 7.2 for detailed comments below.
Have all the relevant data sources been identified in the Scoping Report?	We consider that other sources of data could be addressed, and caution against the age of some of the existing datasets that have been referenced Please see Annex C Section 7.2 for detailed comments below.
Do you agree with the proposed assessment approach?	The proposed assessment approach is lacking rationale and justification for using previous numerical modelling work as well as specific marine physical processes receptors. Please see Annex C Section 7.2 for detailed comments below.

Benthic and Intertidal Ecology	
Do you agree with the characterisation of the existing environment?	We broadly agree with the characterisation of the existing environment, but recommend that the Applicant should highlight that Dogger Bank is a relict sandbank, which increases its sensitivity to activities and pressures as there is no way for it to return into a stable condition once depleted.

Have all the benthic and intertidal ecology impacts resulting from the Project been identified in the Scoping Report?	We broadly agree with the benthic and intertidal ecology impacts identified by the Applicant.
Do you agree with the benthic and intertidal ecology impacts that have been scoped in for / out from further consideration within the EIA?	We consider that there are some impacts that have been scoped out that need to be scoped in. We note that aspects of the scoping have been based on the conclusions of the Teesside A and B (Dogger Bank C) Environmental Statement, Natural England does not agree with this approach, as detailed in our main summary point. Please see Annex C Section 7.4 for detailed comments below. Please also see comments in Annex C Section 4 in relation to cumulative effects.
Have all the relevant data sources been identified in the Scoping Report?	Updated formal conservation advice ¹¹ for Dogger Bank SAC was produced in December 2022. This advice should be used to inform the PEIR and ES. We also advise the Applicant to refer Natural England's 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' for other data sources that may be available.
Do you agree with the proposed assessment approach?	We are broadly in agreement with the proposed approach to assessment presented but would expect a more thorough approach to assessment to be evidenced within the PEIR/ES.

Marine Mammals	
Do you agree with the characterisation of the existing environment?	We agree with the information presented here to characterise the existing environment but would expect a more thorough and complete assessment in the PEIR/ES.
Have all the marine mammal impacts resulting from the Project been identified in the Scoping Report?	<p>We are broadly in agreement with the potential impacts identified.</p> <p>We note that seabed disturbance has not been specifically mentioned but is linked to 'Changes in Prey Resource' which is identified and will be scoped into the EIA. This is linked strongly to Conservation Objective 3 of the Southern North Sea SAC ("The condition of supporting habitats and processes, and the availability of prey is maintained").</p>

Do you agree with the marine mammal impacts that have been scoped in for / out from further consideration within the EIA?	We are broadly in agreement with the marine mammal impacts that have been scoped in for further consideration.
Have all the relevant data sources been identified in the Scoping Report?	We are broadly satisfied with the key datasets listed to inform the marine mammal baseline, but also recommend the inclusion of the UK Cetacean Stranding Investigation Programme (CSIP), details of which can be found in Annex C Section 7.6.
Do you agree with the proposed assessment approach?	We agree with the proposed approach to assessment presented but would expect a more thorough approach to assessment to be evidenced within the PEIR/ES.

Intertidal and Offshore Ornithology	
Do you agree with the characterisation of the existing environment?	We are broadly in agreement with the methodology presented, but note that it has not been presented in sufficient detail to be able to provide detailed comments at this stage. We look forward to seeing the methodology presented in detail in the PEIR.
Have all the intertidal and offshore impacts resulting from the Project been identified in the Scoping Report?	We are broadly in agreement with the impacts identified in the scoping report.
Do you agree with the intertidal and offshore ornithology impacts that have been scoped in for / out from further consideration within the EIA?	<p>We are broadly in agreement with the impacts that have been scoped in for further consideration within the EIA.</p> <p>We welcome the Applicant's stated commitment to include all seabird and waterbird species recorded during the baseline surveys in the impact assessment.</p>

<p>Have all the relevant data sources been identified in the Scoping Report?</p>	<p>We are broadly in agreement with the identified data sources identified but would welcome consideration of the feasibility of collecting additional project-specific data on flight heights, flight speeds, and nocturnal activity factors to improve the accuracy of collision risk models.</p> <p>We recommend that the Applicant continues to engage with Natural England to consider how the species and colonies of concern and their densities at sea may have been affected by HPAI and how best to factor these impacts into the assessment.</p>
<p>Do you agree with the proposed assessment approach?</p>	<p>We are broadly in agreement with the methodology presented but note that it has not been presented in sufficient detail to be able to provide detailed comments at this stage, and look forward to seeing the methodology presented in detail in the PEIR. We note that the appropriate seasonal definitions to use may be informed by the results of the baseline surveys.</p>

Annex C – Detailed comments table on EIA scoping consultation report

General comments

Natural England Best Practice Guidance – Natural England is increasingly utilising the best practice guidance to provide information to developers on the expected methodologies and then to appraise their robustness, rather than give detailed advice on alternative methodologies that a developer/consultant wishes to use instead.

EIA Matrices – Natural England notes that the approach to the EIA assessment proposes to use a matrix approach. This matrix approach has been used throughout ESs to date to support the assessment of the magnitude and significance of impacts. Natural England notes numerous instances where significance has been presented as values (i.e., slight, or moderate, or large) and it is nearly always the lower value that has been taken forward. Indeed, to date no offshore windfarm has identified ecological impacts that are assessed as significant in EIA terms, either cumulatively or in-combination. In the absence of evidence to support the use of the lower value in a range, Natural England's view is that the higher value should always be assessed in order to ensure that impacts on features are not incorrectly screened out of further assessment. This is in line with the principles of the Rochdale envelope approach.

Embedded mitigation - Natural England advises the provision of a plan in and of itself is not embedded mitigation, and the commitments within the plans will be key. Until plans have been provided, we are unable to advise if impacts have been adequately addressed and therefore the impacts (e.g. invasive non-native species, pollution events) cannot be scoped out. Natural England advises that outline plans including any mitigation measures should be provided at the time of Application.

Our Approach to Detailed Comments Table

The table below contains Natural England's comments from the 2023 EIA scoping report. Although the Applicant has acknowledged and addressed many of our concerns in the revised EIA Scoping report, the majority of our comments remain relevant. For ease of recognising where changes have occurred since the original 2023 report and in the interest of retaining the narrative, we have taken the following approach to revisiting the comments:

- Comments that are no longer relevant due to design changes (e.g. comments concerning the Hydrogen Option) have been removed.
- Comments that Natural England consider have now been adequately addressed and require no further response from us have been highlighted in blue.
- Comments that the Applicant have partially addressed but require further response/feedback from Natural England have been highlighted in yellow, with our most recent recommendations added under “**2024 Updated Comments**”.
- Any comments new to the 2024 scoping report are highlighted in pink.
- Comments that remain relevant and unchanged have been left as is (unhighlighted).
- In the case of any new or updated comments, the new relevant ‘section’ and ‘paragraph’ numbers that the comment links to within the 2024 report are written in blue (underneath the original 2023 indicators in black) for ease of reference. (**N.B For comments that remain unchanged, section/paragraph numbers have not been updated since the 2023 response**).

Section 1: Introduction

Point No.	Section	Para	Topic	NE comment/Recommendations
1	1.1, 1.3	5, 31	Use of Teesside A EIA	Natural England acknowledges that the Dogger Bank D array is fully within the area assessed as part of the Teesside A EIA. We welcome a proportionate approach being taken where appropriate but note that there will be limitations to the use of the original assessment. The EIA for Teesside A was conducted over 10 years ago, and in line with our Best Practice Guidance, for data over 5 years old it must be evidenced that it is appropriate for use. Our understanding of affected designated sites, offshore wind (OWF) impacts, construction technologies and the volume of consented infrastructure has evolved since the original assessment was conducted. Dogger Bank C is also not yet operational so the conclusions made in the Teesside A EIA have not been validated. For the above reasons, we would not support impacts being scoped out at this stage for Dogger Bank D based on conclusions made in the Teesside A.

Section 2: Policy and Legislative Context

Point No.	Section	Para	Topic	Recommendations
2	2.4.3	66 - 68	National Policy Statements	We welcome the consideration of National Policy Statements and their associated revisions. In particular, the Project should be cognisant of policies in the draft NPS around coordination and work of the Offshore Transmission Network Review (OTNR) pathways to 2030 – these will need to be factored into ES development.
3	2.5.1 2.4.1	81 92	Derogations	<p>Following SoS's consent decision on Hornsea Three, projects are encouraged to submit a derogations case on a without prejudice basis where there is risk of AEoI. In light of the Round 4 Plan Level HRA conclusions, we advise the project begin discussions on compensation options for the Dogger Bank SAC, Flamborough and Filey Coast SPA and any other relevant sites in the North Sea where a risk of adverse effects have been identified.</p> <p>2024 updated comments: We note that the Applicant are proceeding with compensation discussions throughout the EPP, although the strategic element of this remains at risk due to undefined lease arrangements, as set out in Annex D.</p>

Section 3: Project Description

Point No.	Section	Para	Topic	Recommendations
4	3.1	100	Offshore Hybrid Asset	It is unclear to Natural England at this stage how the Offshore Hybrid Asset (OHA) may be integrated within the Project. Our understanding is that an OHA may tie into the offshore infrastructure indicated within the WCS parameters, and we would expect to see clarity on this in the ES. An indication of the scale/quantity of infrastructure specific to the OHA option is also required within the ES. Additionally, it is not clear whether the inter-connector cables required for an OHA have been considered within

				the WCS parameters. Finally, further information on how and when a decision will be made regarding the OHA option would be beneficial.
5	3.3	Table 3-2	Minimum blade clearance	Natural England advises that draught height should be raised as much as possible above 22m to reduce seabird collision risk.
6	3.3	Table 3-2	Wind turbine foundation options	Natural England welcomes that gravity bases have not been included in the project design for wind turbines.
7	3.3	Table 3-2	Platform foundation options	We note that gravity bases have been included as a foundation option for offshore platforms. We would welcome discussion during the EPP on the need for this option to remain scoped in.
8	3.3	Table 3-1	Cofferdams	Section 7.2.3.1.2 states that “a variety of methods could be adopted that are likely to involve one or more coffer dams”. The maximum number of cofferdams should be therefore be included in Table 3-1 (indicative parameters for the Realistic Worst-Case Scenario), as they are currently omitted.
9	3.4.1.1 3.4.1.1	97 110	Wind turbine size	<p>It is stated that the number of turbines installed will depend on their generation capacity, i.e. up to 100 14MW turbines or fewer 27+MW turbines, with the final decision made post-consent. Information should be provided in the ES on the options most likely to occur in the final design and their associated technical details (e.g. turbine diameter) to ensure an accurate WCS is assessed. Differences in the number and size of turbines installed could have impacts for benthic and marine processes receptors.</p> <p>2024 updated comments: We note that the maximum number of wind turbines has increased, since the 2023 Scoping Report, from 100 to 122. Further explanation of this design change would be welcomed in the EPP.</p>
10	3.4.3	113	Cable installation in separate trenches	Bundling cables could considerably reduce the impact of cable installation activities and requirements for cable protection, particularly where cables will be going through designated sites. We advise that this option is considered in the construction plans.

Section 4: EIA Methodology

Point No.	Section	Para	Topic	Recommendations
11	5.3.2	183	Magnitude and probability of impact occurring	<p>In order to predict the significance of an impact, it is also important to consider:</p> <ul style="list-style-type: none"> Temporal scale in terms of permanent or temporary changes in the ecology <p>Whilst careful consideration should be given to:</p> <ul style="list-style-type: none"> Duration of the impact relate to the time over which the impact will last as opposed to the duration of the activity. Furthermore, 'short-term to long-term' is also rather broad, and should include 'medium-term', along with some indication of the timescales e.g. > 5 years, 1-5 years, < 1 year etc. Scale or spatial extent – 'small scale to large scale' is vague, and can be broken down into, for example, transboundary, national, regional, local, site-specific etc. <p>The magnitude of change should also consider the different phases of the development.</p> <p>Please consider definitions of temporal scale, duration, and spatial extent carefully, Please also consider the different phases of the development when defining the significance of an impact.</p>
12	5.4	Table 5-1	Evaluation of Significance - Effect Significance Matrix	<p>We note that an effect significance matrix will be used to determine the significance of effects. CIEEM (2022) discourage the use of the matrix approach and encourage the use of alternative approaches.</p> <p>We would encourage the use of an alternative approach for determining the significance of effects. However, if a matrix approach is used, then we advise that a clear distinction should be made between evidence-based and value-based judgements.</p>
13	5.6 5.7	199 226	Cumulative effects	<p>Three tiers are proposed for screening plans and projects for inclusion in the Cumulative Effects Assessment, rather than the seven suggested tiers for undertaking a staged CEA in Natural England's 'Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards' (as referenced in Summary of Main Points section of this consultation).</p> <p>2024 Updated Comments:</p>

				<p>We note that the Applicant has justified use of the PINS 3-tiered approach as default for the CEA on the basis that “NE’s CEA guidance relates to the offshore wind marine environment and focuses on other DCO projects rather than projects consented via other regimes e.g. Town and Country Planning Act and MACA 2008 [...] the NE guidance will be used in relation to DCO projects for offshore wind and the marine environment.”</p> <p>It is unclear to Natural England how the Applicant intends to use both tiered approaches alongside one another, and until we receive further clarity on this, our recommendation remains that NE’s 7-tiered approach is used as the default, given that the proposed project will be a DCO project in the marine environment.</p>
14	5.6	200	Cumulative effects	<p>It is stated that “<i>Projects that are sufficiently implemented and are expected to be completed before the commencement of the proposed Project will be considered as part of the baseline for the EIA</i>”.</p> <p>As advised for Sheringham and Dudgeon Extension projects, Natural England does not consider projects to be ‘part of the baseline’ in terms of cumulative or in-combination effects, unless the data under-pinning the designation of a site (e.g., distribution, population size, survival rate) were all collected subsequent to the construction or operation of projects.</p> <p>Consideration should therefore be given to built and operational projects to ensure that those excluded from CEA were operational when the environmental characterisation surveys were undertaken, that residual impacts have had the time to be fed through to and captured in estimates of baseline conditions and that ongoing impacts are as predicted. Where this is not the case, projects may need to be considered through CEA rather than as part of the baseline. Furthermore, any projects with ongoing impacts should be considered as part of the cumulative impact assessment.</p>

15	5.6	200	Use of as built parameters	<p>It is stated that “Where possible, the Applicant will use as-built project parameter information (if available) as opposed to consented parameters to reduce inaccuracies and avoid an overly precautionary CEA approach”. If this includes updating CRM estimates from other OWFs with 'as-built' parameters, NE require proof that new collision figures are legally secured i.e., there is no way that any remaining consented capacity could be constructed in the future thus invalidating the modelling. Furthermore, any CRM parameters etc. need to be agreed with NE. Currently there is no legal mechanism for this, although there are ongoing discussions between regulators in order to achieve this.</p> <p>Given the above issues, we therefore recommend that for the offshore ornithology assessments the consented collision predictions should be used for projects included within the cumulative/in-combination collision assessments. We also recommend Dogger Bank D consider our advice regarding as built vs consented scenarios provided during the recent Norfolk Boreas examination ^{4,5} and regarding Non-Material Changes (NMCs) during the East Anglia One North/East Anglia Two examinations.</p>
16	5.7	205 – 207	In-Combination effects	<p>It is unclear if Section 5.7 relates specifically to SACs and SPAs and that therefore the assessment should be to determine the in combination effects at the scale of the site and for the designated features within the site, with the intention of assessing the in combination effects against meeting the conservation objectives. Currently the paragraph refers to environmental topics and receptors. We advise that the requirements of in combination assessments for designated sites should be clearer.</p>

Section 7.2 Marine Physical Processes

Point No.	Section	Para	Topic	Recommendations
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17	7.2.2	234 onwards	Existing environment	<p>The baseline characterisation does not cover underlying geology, seabed mobility, sediment transport pathways and rates, bedforms, thickness of sediment units, surge water levels and currents.</p> <p>In 1994 an earthquake with a Richter magnitude of 4.4 occurred just south of the Danish part of the Dogger Bank. Whilst in 1931, the Dogger Bank experienced an earthquake with a magnitude of 6.1 on the Richter scale, in the UK part of the bank, which resulted in formation of a small tsunami (source: British Geological Survey). Therefore, seismic activity should be taken into consideration by the Project.</p> <p>We would advise considering the following for the study area:</p> <ul style="list-style-type: none"> • underlying geology • seabed mobility • sediment transport rates and pathways • thickness of sediment units • surge water levels and currents • seismic activity
18	7.2.2.4	237	Oceanic fronts	<p>The Flamborough Front gives rise to nutrient-rich waters and is considered to play a key role in primary production, the marine ecosystem and biogeochemical cycles.</p> <p>The baseline characterisation will need to consider firstly, the position of the Flamborough Front relative to Dogger Bank D, and secondly, if needed, temperature, salinity, stratification, primary productivity.</p>
19	7.2.3.1	243 onwards	Potential impacts during construction	<p>There are a number of other construction-related impacts to consider in the ES. Impacts due to beach access, and location of temporary construction compounds, and also to sensitive areas of seabed/substratum (and species) in the intertidal and supratidal areas at landfall should also be taken into consideration. And any impacts to supporting habitats for mobile species from Designated sites.</p>

20	7.2.3.1.1 7.2.3.1.1	244 & Table 7-1 282 & Table 7-1	Impacts on wave and tidal currents	<p>'Impacts on Waves and Tidal Currents' during construction have been scoped out of the EIA. However, impacts within the nearshore zone should remain scoped in. For example, the presence of temporary cofferdams within the nearshore or seabed excavation in shallow/nearshore areas could give rise to changes in waves and/or current flows.</p> <p>We advise that these impacts in the nearshore or shallow water areas should remain scoped in.</p> <p>2024 updated comments: We note that the Applicant has acknowledged this recommendation and has justified not scoping in wave and tidal current impacts on the nearshore on the basis that there is <i>"limited scale of the construction activities towards the coast [...] changes in physical processes are effectively zero."</i> Given that the Project <i>"may involve one or more coffer dams"</i> (para 286), Natural England maintain that this impact pathway should be scoped in at the nearshore, at least until further details of landfall methods are confirmed.</p>
21	7.2.3.1.2		Impacts on Bedload Sediment Transport at the Landfall	Impacts from scour protection at landfall on sediment transport have not been discussed, but please note that Natural England do not support the use of scour protection within the 10m depth contour. This is based on evidence provided for the Dogger Bank A&B Offshore Wind Farms, and has subsequently been committed to for Hornsea Project Four, Eastern Green Link 2 and Northern Endurance.
22	7.2.3.1.2 7.2.3.1.3	245 - 246 285 - 286	Impacts on bedload sediment transport and seabed morphological change (during construction)	<p>This section considers changes to bedload sediment transport and seabed morphology due to seabed preparation for foundation (and scour protection) and cable installation, sediment deposition, sandwave clearance and also UXO. There are too many impacts considered within one umbrella term here.</p> <p>These impacts need to be thinned out and assessed separately. Moreover, bedload sediment transport could also be affected by the presence of cable protection measures and/or cable crossings in shallow depths during operation.</p>

				<p>2024 updated comments: We note that impacts from bedload sediment transport and seabed morphological change are now separated between landfall and offshore, but impacts from foundation preparation and cable preparation are still considered as a whole. We recommend further separating the impacts by ‘transmission’ and ‘generation’ impacts. We will provide further comment with regard to UXO impacts once conclusions from independent UXO investigations are available.</p>
23	7.2.3.1.3	247	Impacts on suspended sediment concentrations (during construction)	<p>This section includes multiple construction activities and will need to be thinned out for consideration in the ES. The intertidal zone has not been included here either.</p> <p>We would advise that these impacts should be broken down into separate impacts for assessment in the ES. In addition, consider increased suspended sediment loads in the intertidal zone during construction.</p>
24	7.2.3.2.1 7.2.3.2.2	251 290	Impacts on waves and tidal Currents (during operation)	<p>There are multiple impacts to consider under this term which should be considered individually in the ES. Cumulative impacts will also need to be considered and assessed.</p> <p>These impacts need to be thinned out and assessed separately. We also advise considering and assessing cumulative impacts due to the presence of a cluster of OWFs across the Dogger Bank Zone. Furthermore, we advise considering the spatial extent of projected changes to the wave regime downwind of the array and how changes in significant wave height could affect morphological processes across Dogger Bank SAC over the lifetime of the project. We also advise considering how Dogger Bank D as part of a cluster of OWFs might lead to large-scale hydrodynamic changes.</p> <p>2024 updated comments: Topic corrected to read “(during operation)” rather than “(during construction)”.</p>

25	7.2.5	261 & Table 7-1	Potential transboundary effects	<p>It is stated that “<i>effects on tidal currents do cross into Dutch waters, while the effects on waves cross into all adjacent international waters</i>”. This needs to be fully considered and assessed. The scale of this effect needs to be shown and also how far it would extend beyond the study area.</p> <p>The potential for large-scale hydrodynamic changes due to the cluster of OWFs across Dogger Bank and transboundary effects needs to be considered and fully assessed.</p> <p>We advise that the potential transboundary effect of the Dogger Bank OWF cluster needs to be adequately assessed and quantified. Furthermore, transboundary effects should remain scoped in to the EIA until justification is provided for scoping them out.</p>
26	7.2.5	262 & Table 7-1	Cumulative sediment plumes are predicted to extend 15km into Dutch waters, yet this impact has been scoped out.	This would need to be quantified, including plume extent/footprint, sediment concentration and subsequent sediment deposition thickness. Consequently, we would advise that this impact should be scoped into the EIA for transboundary effects.
27	7.2.5 7.2.5	263 299	The conservative worst case scenario foundation layout that covered the entire developable area is not a realistic worst case scenario.	We advise that a more realistic worst-case scenario should be considered and assessed.
28	7.2.7	265	Approach to data gathering – there are other sources of evidence to consider here.	<p>We are broadly content with the approach to data collection, however, we advise consideration of Shoreline Management Plans (SMPs), Marine Plans, capital programmes for maintaining flood and coastal defences, and beach profile change through the lifetime of the project.</p> <p>We would also refer the Applicant to our comment to section 7.2.2 regarding further baseline data requirements for consideration.</p>
29	7.2.7	Table 7-2	Desk-based data sources for marine physical processes include wave data (2001-	NE best practice advises that, as a general benchmark, care should be taken when considering datasets older than five years (see Natural England’s ‘Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data

			2008), tidal currents (2008), suspended sediment concentrations (1998-2015), and physical/sedimentary processes for DBA, DBB, DBC and Sofia OWFs (2011-2014). These datasets are all quite old.	Standards' (as referenced in Summary of Main Points section of this consultation). Furthermore, we advise that sufficient accurate field data are needed to adequately describe both present day conditions within the study area, as well as longer-term historical change, in order to develop the conceptual understanding.
30	7.2.8	270	Approach to assessment – previous numerical modelling work.	Rationale and justification should be provided for using the previous numerical modelling work undertaken for the Dogger Bank Zone (DBZ)/other Dogger Bank OWF projects. The Applicant would need to show how the numerical modelling work carried out for the DBZ/other Dogger Bank OWF projects is applicable and relevant to the physical and sedimentary environment at Dogger Bank D.
31	7.2.8	271	Approach to assessment – effects on marine physical processes. No specific Marine Physical Processes receptors have been identified for consideration here.	Marine Physical Processes receptors for consideration in the ES should include: <ul style="list-style-type: none"> • Holderness Coast • Designated sites within the Zone of Influence • Water column features (e.g. Flamborough Front) • Sandbanks • Geological SSSIs at landfall • Spurn Head • Any other Annex I features identified
32	General		Designated sites are not discussed within section 7.2 Marine Physical Processes.	We advise that designated sites/features within the marine physical processes study area should be identified and considered in the ES.
33	General		Futureproofing the proposed development	We advise the Applicant to consider the vulnerability of the proposed development options to coastal change, taking account of climate change predictions, during the project's operational life and decommissioning period

34	General		Dogger Bank SAC Conservation Objectives should be considered with regards to Marine Physical Processes.	JNCC advises a restore objective for the Attributes: Extent and Distribution and Structure and Function, and a maintain objective for the Attribute: Supporting Processes (December 2022). The significant number of offshore wind farm wind turbines and associated cabling built, being built, and proposed within this site will continue to change the substratum and hinder recovery of the sandbanks sediment composition and distribution, which will have a long-term impact over the lifetime of these projects. The impacts of the DBD Project on the site's conservation objectives need to be taken into consideration here.
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Section 7.4 Benthic and Intertidal Ecology

Natural England notes that the proposed ECC includes designated sites. Of particular concern are potential impacts to Dogger Bank SAC, Holderness Offshore MCZ and Holderness Inshore MCZ. Dogger Bank SAC and Holderness Offshore MCZ are already in unfavourable condition from ongoing anthropogenic activities. In addition, Natural England's position provided for Hornsea Project Three, Norfolk Vanguard and Norfolk Boreas in relation to Adverse Effects on Integrity from the placement of cable protection remains unchanged and therefore cable protection within these sites should be avoided and where that is not possible, every effort should be made to mitigate the impacts. In order to achieve this, we advise that a cable burial risk assessment is undertaken as part of the application process informed by comprehensive geotechnical and geophysical surveys. If cable protection is required, options that have the greatest success of removal with least impact to interest features should be taken forward. A site integrity plan could then be used to determine the risk to the conservation objectives for the site and determine the requirements for any compensation measures

Point No.	Section	Para	Topic	Recommendations
35	3		Technical details to be included	<p>In conjunction with the information to be gathered on the proposed offshore array and export cable corridor through survey work, the ES should include details on the following technical aspects relating to the construction and operation of the Dogger Bank D Wind Farm:</p> <ul style="list-style-type: none"> • Footprint of area affected by excavation for and laying of the export cable; • Footprint of area affected by export cable protection; • Footprint of area affected by inter-array electrical cables; • Footprint of area affected by inter-array cable protection; • Estimation of electromagnetic fields (EMF) potentially arising from cables both at exterior of cables and at surface of seabed above buried cables; • Footprint of area affected by installation of Wind Turbine Generator foundations; • Footprint of area affected by installation of platform foundations; • Footprint of area affected by scour protection; • Footprint of area affected by installation vessels; • Duration and rate of cable-laying; • Number and types of vessels to be used in cable-laying operations; • Routes of vessels for cable works. • Areas impacts by UXO clearance and other site preparation works • Whether the use of sandwave levelling and standardise mitigation measures can/should be used to avoid, reduce and mitigate impacts
36	3.4.1.1		Foundations	<p>We appreciate that the projects are still in the early stages and that technical aspects, including number and location of turbines, foundation types and cable routes are still to be finalised. We would, however, take this opportunity to highlight that the provision of accurate and the most meaningful advice is only possible when details of the potential impacts resulting from a project are provided. The SNCBs would like to see the worst-case scenario for each activity, and associated impacts, provided and assessed for the construction, operation and decommissioning stages.</p>

37	3.4.1.1	102 – 106, Table 3-4, 115 - 116	Introduction of hard substrate	<p>We acknowledge that the deposition of hard substrate into a mainly sedimentary environment may be required for the purposes of seabed preparation/stabilisation, cable protection, scour prevention, and cable crossings. We note that some of the hard substrate will be deposited in the Dogger Bank SAC which is designated for sandbanks which are slightly covered by seawater all of the time. We encourage the Project to work to minimise the amount of hard substrate material used during the construction, operation and maintenance and decommissioning of the wind farm and that the worst-case quantity be assessed for the lifetime of the project. We note that the long-term effect of the introduction of substratum into a naturally sandy or muddy seabed is not fully understood at present and as such should be carefully considered by both the operator and regulator.</p> <p>We advise detailed commentary is provided in the ES on the introduction of hard substrate as part of the proposed developments to allow further understanding of the potential nature conservation impact. This would include:</p> <ul style="list-style-type: none"> • location of deposit sites; • type / size / grade of rock / mattresses / bags to be used; • tonnage / volume to be used; • contingency tonnage / volume to be used; • method of delivery to the seabed; • footprint of hard substrate introduced; • assessment of the impact (particularly in the Dogger Bank SAC) • Decommissioning potential of any introduced substrate <p>Where protective material cannot be avoided, we recommend using a targeted placement method, e.g., use of a fall pipe vessel rather than using vessel-side discharge methods.</p> <p>We also draw your attention to the recent decisions for Hornsea Project 3, Norfolk Boreas and Norfolk Vanguard where it was concluded that the placement of cable protection within Annex I sandbanks would result in an Adverse Effect on Integrity (AEOI)</p>
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38	3.4.1.2	105	Cable burial depth	<p>We note that the inter-array cables will be buried typically to a depth of 1m, but burial depth may range from 0.5 to 3m. Given the potential for some of these activities to occur within the Dogger Bank SAC we would like to emphasise that Dogger Bank is formed by underlying glacial sediments, if these are damaged this is a permanent impact and there is no scope for recovery. The surface sediments across Dogger Bank vary in depth (0.5m - 20m), therefore any proposed activities could have varying impacts to the glacial sediments beneath. We consider a cable burial risk assessment should give consideration to the depth of surface sediment within the cable corridors to determine micro-siting potential to avoid areas where glacial sediment is likely to be impacted.</p>
39	7.4.2		Existing Environment	<p>The high-level characterisation of the existing environment is satisfactory at this stage but we would expect to see far more detail as the projects move forward and site/project specific data becomes available. The broadscale habitats and larger habitats of conservation interest appear to be broadly correct. There will be more local data from other projects that could be used to give context to any modelled data presented along with data that will be gathered for this project.</p> <p>Of note, in paragraph 331 it is mentioned that the predicted EUNIS habitats in the study area is predominantly A5.25 circalittoral fine sand. As shown in Figure 7-9, A5.26 circalittoral muddy sand and A5.24 infralittoral muddy sand may also be present.</p> <p>Para 333 summarises predicted sediments as described by EUNIS and listed as A5.13, A5.14, A5.44, A5.25. To note - A5.26 (circalittoral muddy sand) and A5.24 (infralittoral muddy sand) should also be considered here.</p> <p>There may well be other habitats such as cobble reef, peat and clay exposures and seapens and burrowing megafauna communities that are known in this area but not mapped at this broad scale.</p>

40	7.4.2.4	367	Flamborough Head	<p>Para 367 states that “A section of the Offshore Scoping Area overlaps with Flamborough Head, which is an Annex 1 sandbank, due to the 10km buffer”. We recommend this is corrected to highlight that Flamborough Head comprises vegetated sea cliffs, sea caves and reefs, and is flanked to the south by Smithic Sands, which is the Annex 1 sandbank habitat.</p>
41	7.4.2.3 7.4.2.4	Table 7-9 Table 7-7	Designations	<p>All relevant SACs and MCZs appear to have been identified.</p> <p>For Holderness Offshore MCZ, North Sea glacial tunnel valleys is missing from the designating features list in Table 7-9. For Holderness Inshore MCZ, Table 7-9 is missing Spurn Head (Subtidal) as a designated feature.</p> <p>Although Dogger Bank SAC is considered an Annex I Sandbank, it should be highlighted that it is a relict sandbank, which increases its sensitivity to activities and pressures as there is no way for it to return into a stable condition once depleted.</p> <p>2024 updated comments: We acknowledge and welcome that the feature lists for Holderness Offshore and Inshore MCZs have been updated to include North Sea glacial tunnels and Spurn Head respectively. We reiterate our above advice that descriptions of Dogger Bank SAC should highlight that it is a relict sandbank.</p>
42	7.4.3.1		Potential Impacts during Construction	<p>We note:</p> <ul style="list-style-type: none"> • Impacts from deposition of sediment and smothering are not covered for all construction activities. This is important for any material deposited from seabed preparation works, foundation and cable installation and sandwave clearance. • It is not clear in the benthic section how any changes to hydrodynamics and impacts of these on benthic habitats will be taken into account e.g. changes in water flow, wave and tide climate. • Impacts from boulder clearance, both removal and deposition must be taken into account • Impacts from UXO clearance must be taken into account

43	7.4.3.1.2	343	Increased Suspended Sediment Concentrations	We advise that the array and offshore ECC should be scoped in when assessing the impact of increased suspended sediment concentrations during construction, including site preparation works.
44	7.4.3.1.3 7.4.3.1.3	344, 345 381 - 386	Remobilisation of Contaminated Sediments	<p>We advise that remobilisation of contaminants should be scoped in for the array area and offshore ECC. It will need to be demonstrated what the local contaminant levels are, and whilst data is available from the Teesside A&B ES, the contamination data as shown in Figure 7-7 of the Scoping Report indicates only one sample was taken from within the proposed Dogger Bank D array area. We defer to Cefas for further advice on this topic.</p> <p>2024 updated comments: Natural England acknowledge and welcome that this impact has now been scoped in for the offshore ECC. We provisionally agree on the scoping out of the array area for this impact based on the results of the 2023 Sediment Quality Survey but defer to Cefas for full analysis of these result and further advice.</p>
45	7.4.3.1.4 - 7.4.3.1.5	346- 351	Pollution events and embedded mitigation measures/Introduction of Marine Invasive Non Native Species (INNS) from Vessel Traffic	<p>Natural England advises the provision of a plan is not embedded mitigation and the commitments within the plans will be key. As we have not seen the plans, we are unable to advise if impacts have been adequately addressed.</p> <p>Natural England advises that outline plans including any mitigation measures should be provided at the time of Application.</p> <p>We also advise that accidental spillages and leakages of oils, fuel and other polluting substances which could potentially enter the water environment be scoped in for further assessment with regards to designated sites and potential impacts to their interest features.</p>

46	7.4.3.2 7.4.3.3.10		Potential Impacts During Operation	<p>We consider assessment of maintenance activities is underestimated. This is important as whilst impacts may be less than during construction, they are additional to those during construction and can inhibit or slow recovery of impacted habitat. Full consideration should therefore be given to impacts from maintenance activities for these to be permitted.</p> <p>Temperature changes due to heating from cables has not been discussed, therefore it is not clear whether this is scoped in or out.</p> <p>2024 Updated Comments: We acknowledge and welcome that temporary habitat loss and disturbance, increased suspended sediments and sediment re-deposition and interactions of EMF, have now been scoped in. We also note the consideration given to sediment heating effects and agree that this can be scoped out.</p>
47	7.4.3.2.1	358	Temporary Physical Disturbance / Physical Disturbance	We advise that temporary physical disturbance to the seabed due to operation and maintenance activities should be scoped into the assessment.
48	7.4.3.2.2	359	Long Term Habitat Loss	Scour protection is not listed here. We advise that long term habitat loss due to the presence of scour protection should also be considered.
49	7.4.3.2.3	360	Increased Suspended Sediment Concentrations	We advise that increased suspended sediment concentrations due to operation and maintenance activities should be scoped into the assessment.
50	7.4.3.2.4 7.5.3.3.4	482 - 485	Remobilisation of Contaminated Sediments	<p>We advise that remobilisation of contaminated sediments due to operation and maintenance activities should be scoped into the assessment.</p> <p>2024 updated comments: We provisionally agree on the scoping out of the array area for this impact based on the results of the 2023 Sediment Quality Survey, but defer to Cefas for full analysis of these result and further advice.</p>

51	7.4.3.2.6		Pollution Events Resulting from the Accidental Release of Pollutants	See comments on 7.4.3.1.4 and 7.4.3.2.
52	7.4.3.2.7	369	Interactions of ElectroMagnetic Field (EMF) (including Potential Cumulative EMF Effects)	<p>There is currently a lack of understanding of effects of EMF on benthic habitats. In particular, it is highlighted that Teesside A & B concluded a low magnitude of impact from EMF. This highlights the importance of cumulative effects assessment in particular due to the scale of activity in the Dogger Bank location.</p> <p>We advise that EMF impacts on benthic and intertidal receptors should remain scoped in. It is acknowledged in paragraph 366 that the target burial depth of cables (0.5m) is shallower than required to not have to assess the operation impact of EMF cables as given in the National Policy Statement (EN-3) (1.5m depth required).</p>
53	7.4.3.3	375 - 376	Potential Impacts during Decommissioning	Decommissioning should also continue to consider permanent habitat loss from any infrastructure that remains at the time of decommissioning – this is thus the extension of habitat loss from the operational phase.
54	7.4.7		Approach to Data Gathering	The desk-based data sources for benthic and intertidal ecology are broadly suitable. To note - updated formal conservation advice for Dogger Bank SAC was produced in December 2022. This advice should be used to inform the PEIR and ES.
55	7.4.7 7.4.7	Table 7-10	Approach to Data Gathering	<p>Table 7-12 outlines the following proposed surveys to be undertaken to inform the EIA in 2023:</p> <ul style="list-style-type: none"> • Geophysical survey e.g. side-scan sonar, multi-beam echosounder and sub-bottom profiler – array area and offshore export cable corridor • Grab sampling, epibenthic trawls drop-down video – array areas and offshore export cable corridor • Intertidal walkover surveys – (landfall location(s)) <p>We believe that the surveys proposed above are likely to be sufficient in identifying features of nature conservation interest (including Annex I habitats, List of Threatened and/or Declining Species and Habitats and Habitats of Principal Importance), provided surveys are designed and undertaken as a result of the initial geophysical survey data assessment. However, at this high level it is difficult to comment on specific data collection techniques suitable for this project. Please ensure that within the ES, the standards to which the data collection methodologies</p>

				<p>will be subjected to are included. More information on what is expected can be found in the best practise for EIA surveys.</p> <p>Survey techniques should be appropriate to the habitats being assessed. i.e. If epibenthic trawls are to be conducted, they should only be conducted in environments where the sensitivity to surface abrasion pressure is low. Areas which are to be sampled in this way should be ground truthed first to ensure no sensitive habitats are likely to be damaged. We refer the Applicant to Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards document (Parker et al, 2022) which we would expect them to take account of for further sources of information.</p> <p>Given the extent of the coastline currently being considered in the areas of search for a landfall location, a combination of phase I and phase II survey techniques to provide suitable data biotope classification would enable robust conclusions to be drawn within the EIA on biotope types.</p> <p>2024 Updated Comments: Natural England have since provided discretionary advice directly with the Applicant and are satisfied with the benthic surveys methodologies proposed, to be undertaken Summer 2024.</p>
56	7.4.2.2	328	Characterisation	We welcome that site-specific benthic surveys will be undertaken to update existing data.

Section 7.5 Fish and Shellfish Ecology

Natural England will defer to Cefas' advice on this topic.

Section 7.6 Marine Mammals

Point No.	Section	Para	Topic	Recommendations
57	7.6.2	466	Natural England advise that bottlenose dolphin are scoped in for the offshore array area not just the ECC and landfall areas.	We advise that bottlenose dolphin should be scoped in for all areas in the assessment.
58	7.6.2	472	Natural England are in broad agreement with the key marine mammal species that will be taken forward for assessment. However, the list of species should be reviewed once the full results of the site-specific surveys have been analysed.	We advise the Applicant to conduct a review of the list of species once the full results of the site-specific surveys have been analysed.
59	7.6.2	472	The text says " <i>However, it is expected that there would be only six marine mammal species found to be present in the area, and therefore taken forward for assessment</i> ".	There are seven species listed here - to note.
60	7.6.2.1	473 Figure 7-14	Management units	Due to the maximum foraging ranges of grey and harbour seals (Carter et al., 2022) Natural England advise that the seal management units 8 (Northeast England) and 9 (Southeast England) are scoped in for this project.

61	7.6.2.2	477	Designations	All the relevant designated sites (or the proposed method of screening these in) have not been presented in detail in this report. Natural England reserve the right to comment on this further when this information is presented in the HRA screening report.
62	7.6.3.1	478	Potential impacts during construction	<p>We support the decision to apply for an EPS licence for UXO clearance. We advise that an EPS license for piling is also applied for.</p> <p>Whilst we appreciate that the number or type of UXO clearance, if any, are not yet known at this stage, we would suggest that this activity is scoped into the assessment owing to the wide Effective Deterrence Ranges (EDR) (EDR, JNCC 2020) of this activity, and the fact that the potential for such explosives within the Southern North Sea SAC is currently unknown. We advise the Applicant to draw upon monitoring conducted for previous UXO campaigns in the Dogger Bank Zone to source empirical information on potential impacts on the SNS SAC.</p>
63	7.6.3.1	478	Potential impacts during construction	With regards to the UXO assessment and what we would expect it to include, please refer to Natural England's Best Practice advice to Offshore Wind (Phase III) (Parker et al., 2022c).
64	7.6.3.1.1.2	485	Behavioural impacts resulting from impact piling, other construction activities and vessel noise	We do not advise the use of TTS range as a proxy for disturbance given that TTS occurs at higher sound exposures, and so will underestimate the risk of disturbance. We advise the Applicant to review the evidence base to determine an appropriate approach to assessing disturbance from construction activities.
65	7.6.3.1.3	490	Changes to prey resource	We agree with change to prey resources being scoped into the EIA, especially considering the potential for impacts within the Southern North Sea SAC due to seabed disturbance from cable laying, which is strongly linked to Conservation Objective 3 of the Southern North Sea SAC.
66	7.6.6	Table 7-16	Summary of scoping proposals	<p>The following should be scoped into the assessment:</p> <ul style="list-style-type: none"> Underwater noise: physical and auditory injury resulting from noise associated with other construction and maintenance activities (such as dredging and rock placement) and vessel noise.

				<ul style="list-style-type: none"> Natural England note the inclusion of best practice measures for all vessel movements but advise that vessel interaction/collision risk is still scoped into the assessment for all stages of development. Refer to: Benhemma-Le Gall et al. (2019) (Frontiers Broad-Scale Responses of Harbor Porpoises to Pilehttps://www.frontiersin.org/articles/10.3389/fmars.2021.664724/fullDriving and Vessel Activities During Offshore Windfarm Construction (frontiersin.org)) Physical barrier effects should be scoped into the assessment and considered further.
67	7.6.7 7.6.7	Table 7-17 Table 7-16	Desk-based data sources for marine mammals	<p>We are broadly satisfied with the key datasets listed to inform the marine mammal baseline but recommend the following are also included:</p> <ul style="list-style-type: none"> Updated Management Units for cetaceans in UK waters (Inter-Agency Marine Mammal Working Group (IAMMWG), 2023) Review of Management Unit boundaries for cetaceans in UK waters (2023) JNCC Resource Hub There is a more recent version of SCANS-III that should be used (Hammond et al., 2021). We also recommend including for cetaceans: <ul style="list-style-type: none"> MARINELife surveys from relevant ferry routes (MARINELife, 2021) UK Cetacean Stranding Investigation Programme (CSIP) Heinänen, S. & Skov, H 2015. The identification of discrete and persistent areas of relatively high harbour porpoise density in the wider UK marine area, JNCC Report No.544 JNCC, Peterborough. Joint Cetacean Data Protocol (JCDP) is now available and may also be used as an additional data source. This succeeds the Joint Cetacean Protocol (JCP). We recommend to include for seals: <ul style="list-style-type: none"> Studies using seal telemetry data (e.g. Sharples et al., 2008, 2012; Russel and McConnell, 2014; Vincent et al., 2017). Juvenile telemetry data (Carter et al., 2017)

				<p>2024 Updated Comments:</p> <p>We note that all of these datasets have all now been considered by the Applicant, with the exception of UK Cetacean Stranding Investigation Programme (CSIP) (Heinänen, S. & Skov, H 2015). We maintain our recommendation that this too should used to inform the baseline.</p>
68	General		Mitigation documents	<p>We advise that the following mitigation documents should be provided at the DCO application stage:</p> <ul style="list-style-type: none"> • MMMP (Marine Mammal Mitigation Plan) • Draft/In Principle SIP (Site Integrity Plan) if undertaking noisy activities that produce impulsive, high intensity noise within the relevant impact range, known as the Effective Deterrence Range (EDR), of a harbour porpoise SAC. <p>To note: <u>Guidance for assessing the significance of noise disturbance against Conservation Objectives of harbour porpoise SACs (England, Wales & Northern Ireland)</u> incc.gov.uk</p>

Section 7.7 Intertidal and Offshore Ornithology

Point No.	Section	Para	Topic	Recommendations
69	5.6	200	Cumulative effects	<p>The report states: “<i>Where possible, the Applicant will use as-built project parameter information (if available) as opposed to consented parameters to reduce inaccuracies and avoid an overly precautionary CEA approach</i>”. If this includes updating CRM estimates from other OWFs with 'as-built' parameters, NE require proof that new collision figures are 'legally secured', and any CRM parameters etc. are agreed with NE. We recommend that for the offshore ornithology assessments the consented collision predictions should be used for projects included within the cumulative/in-combination collision assessments. We recommend that DBD consider our advice regarding as built vs consented scenarios provided during the recent Norfolk Boreas</p>

				examination ^{4,5} and on Non-Material Changes (NMCs) during the East Anglia One North/East Anglia Two examinations.
70	7.7.1	542	Existing environment	We welcome the inclusion in the impact assessment of all seabird and waterbird species recorded within the survey areas during baseline surveys, and recognise that the definitive list of species to be included will depend on the results of these surveys.
71	7.7.2.3	548, Table 7-19	Indicated offshore ornithology receptors and their seasonality	<p>We recognise that the definitive list of species to be included will depend on the result of the baseline surveys and that the list presented is indicative only. We also note that existing baseline survey data has not been presented and so comment on this is not possible at this time.</p> <p>We note that the seasonal definitions provided in Table 7-19 are likely to be appropriate for species at a broad population scale such as that assessed for EIA, unless more up-to-date information becomes available that suggests changes are required or the results of the baseline surveys indicate that a change is required.</p> <p>However, we recommend that colony and project-specific data be used to inform the seasons used in the HRA. As such, while the seasons presented in Table 7-19 are likely to be appropriate for the EIA, they are not necessarily appropriate for the HRA, and we would welcome further engagement with the Applicant on the appropriate seasonal definitions once results of baseline surveys are available.</p>
72	7.7.2.3	549	Designated sites	We recognise that the full list of SPAs and Ramsar sites relevant to the project will be presented in the HRA screening report and therefore have no comment to make on these designated sites or their features at this time. This will be covered in HRA screening process.
73	7.7.2.3.	551	Tern and other species	We advise that any tern species identified as present within the survey areas by the baseline surveys are included for assessment in the EIA.
74	7.7.2.3.	553	Indicated intertidal ornithology receptors	Natural England welcomes planned further consultation on survey requirements to evidence whether intertidal birds of conservation concern are foraging in intertidal habitats (and indeed inshore waters) that may be subject to permanent or temporary habitat loss. Consideration will also need to be given to impacts to functionally linked land used by species of conservation concern.

75	7.7.3.1.2	558	Disturbance and displacement	<p>We welcome the inclusion of a quantitative assessment of displacement impacts of the array and offshore ECC during construction. We note that the species to be included for displacement assessment will depend on the result of the baseline surveys.</p> <p>We note that insufficient detail has been provided here for us to be able to comment on displacement assessment methodology at this time. We look forward to further engagement with the applicant around the appropriate methodology and parameters to use as part of the EPP process and to seeing more detail on methodology presented in the PEIR/ES.</p>
76	7.7.3.1.2	558	Vessel Management Plan	Natural England welcome the Applicant's commitment to the development of a Vessel Management Plan and look forward to further engagement with the Applicant on the development of this plan.
77	7.7.3.2.2	565	Collision risk	<p>We are broadly in agreement with the proposed collision risk methodology presented, but note that insufficient detail has been provided here for us to be able to comment in detail on collision risk methodology and parameters at this time. We look forward to further engagement with the applicant around the appropriate methodology and parameters to use as part of the EPP process and to seeing more detail on methodology presented in the PEIR/ES.</p> <p>2024 Updated Comments: In December 2023 we provided the Applicant with Natural England's updated advice on calculating abundance estimates, and their associated standard deviations, for use in sCRM. We highlight that this updated guidance should be used to inform the ornithological impacts assessments presented at PEIR.</p>

78	7.7.3.2.2	565	Collision risk	We would welcome additional consideration of the evidence gaps surrounding flight heights, flight speeds, and nocturnal activity factors, and the fact that these are likely to be influenced by site, season, and weather conditions. Consideration of the feasibility of collecting additional project-specific data on flight heights, flight speeds, and nocturnal activity factors to improve the accuracy of collision risk models would be welcomed.
79	7.7.3.2.2	565	Bird species	We note that a definitive list of species to be assessed for collision risk will depend on the results of the baseline surveys and that the list presented is therefore indicative only.
80	7.7.3.2.3	567	Disturbance and displacement	We are broadly in agreement with the proposed displacement assessment methodology presented, but note that insufficient detail has been provided here for us to be able to comment in detail on methodology and parameters at this time. We look forward to further engagement with the applicant around the appropriate methodology and parameters to use as part of the EPP process and to seeing more detail on methodology presented in the PEIR.
81	7.7.3.2.3	567	Bird species	We note that a definitive list of species to be assessed for displacement will depend on the results of the baseline surveys and that the list presented is therefore indicative only.
82	7.7.3.2.3	567	Vessel Management Plan	We advise that disturbance and displacement impacts on ornithological receptors due to O&M activities within the offshore ECC should be scoped into the assessment, and would welcome the development and implementation of a Vessel Management Plan to mitigate these.
83	7.7.4	575 - 576	Potential cumulative effects	See comments on section 5.6 above.
84	7.7.5	578	Potential transboundary effects	We welcome the inclusion of designated sites outwith the UK that are within foraging range of the project area.
85	7.7.7	580	Approach to data gathering	We are broadly in agreement with the proposed method for establishing the offshore ornithological baseline, the inclusion of 24 months of digital aerial survey data and the coverage of the array area plus 4km buffer. However, we note that there is not much detail presented here on the survey methodology and as such we cannot comment at this time as to whether the coverage will be sufficient. We continue to engage in the EPP.

86	7.7.7	580	Approach to data gathering	<p>We note that the baseline surveys began in October 2021, prior to the 2022 outbreak of highly pathogenic avian influenza (HPAI) in seabird populations, but will be completed in September 2023, after the impacts of HPAI in 2022 and 2023. We expect that data collected prior to summer 2022 will be a valid representation of 'typical' seabird distribution and density. However, data collected at sea after summer 2022 will need discussion with Natural England to understand how the species and colonies of concern and their densities at sea may have been affected by HPAI. See Annex C Natural England's note '<i>Highly Pathogenic Avian Influenza (HPAI) outbreak in seabirds and Natural England advice on impact assessment (specifically relating to offshore wind)</i>' from September 2022. Further engagement with Natural England will be required on the potential impacts of HPAI on results of baseline surveys.</p> <p>Updated Comments: Natural England's HPAI note is no longer attached as an Annex to this response given that it is now already included in the Applicant's list of data sources used.</p>
87	7.7.7.	580	Seasonal definitions	<p>Natural England note that the seasonal definitions provided by Furness (2015) are likely to be appropriate for species at a broad population scale such as that assessed for EIA, unless more up-to-date information becomes available that suggests changes are required or the results of the baseline surveys indicate that a change is required. Natural England would welcome further engagement with the Applicant on the appropriate seasonal definitions once baseline surveys are available.</p>

88	7.7.7	Table 7-21	Data sources	<p>Natural England are broadly in agreement with the data sources listed in Table 7-21, but refer the Applicant to previous comments above on seasonality and flight heights.</p> <p>Natural England also note that the results of the last full Seabird census should become available in 2023, and that this should be included as a source of information on seabird population sizes.</p> <p>Natural England also note that there are likely to be sources of data on the impacts of HPAI on seabird populations and colonies that can be included, and recommend that the Applicant engages with Natural England to ascertain how the species and colonies of concern and their densities at sea may have been affected by HPAI and how best to factor these impacts into the assessment. See Annex C Natural England's note '<i>Highly Pathogenic Avian Influenza (HPAI) outbreak in seabirds and Natural England advice on impact assessment (specifically relating to offshore wind)</i>' from September 2022.</p> <p>Consider inclusion of latest seabird census results, feasibility of collecting site specific information on flight heights, flight speeds, and nocturnal activity factors, and sources of information on impacts of HPAI on relevant seabird populations.</p> <p>2024 Updated Comments: We welcome that both the 2023 Seabird census data and Natural England's note on the HPAI outbreak have now been considered by the Applicant. Our advice still stands regarding investigating the feasibility of collecting the site-specific data listed above.</p>
90	7.7.8	585-586	Approach to assessment	<p>Natural England are broadly in agreement with the proposed methodology presented, but note that insufficient detail has been provided here for us to be able to comment in detail on abundance and density estimate methodology at this time. We look forward to further engagement with the Applicant around the appropriate methodology and parameters to use as part of the EPP process and to seeing more detail on methodology presented in the PEIR/ES.</p>

91			Approach to assessment	Natural England recognise that the full list of SPAs and Ramsar sites relevant to the project will be presented in the HRA screening report and look forward to further engagement with the Applicant on this.
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Section 7.12 Seascape, Landscape and Visual Impact

Natural England confirms agreement that construction and operational effects on seascape from the array as they relate to the effects on either designated (e.g. North York Moors National Park) or defined (e.g. Spurn Head Heritage Coast) landscapes can be ruled out of the ES. We agree that with the proposed separation distance, the array will not be visible from the shore.

Section 8.6 Onshore Ecology, Ornithology and Nature Conservation

Please find below our comments on impact pathways that require consideration for the onshore aspects of the project. The designated sites which require consideration are stated above in sections 2.2 and 2.4, Annex A.

Point No.	Section	Para	Topic	Recommendations
92	8.3	8.3.3.1 and 8.3.3.2	Air quality	<p>Designated sites within 200m of a road which will experience a significant increase in traffic movements during the construction phase should be assessed for impacts due to air pollution from traffic. When undertaking an assessment of the potential impacts during the construction or operation phase of the development there will need to be clarification provided on which roads will be used to access the development site, and the number of predicted vehicle movements. Natural England has produced guidance for assessing the impacts of air pollution due to traffic.</p> <p>Ammonia emissions from road traffic could make a significant difference to nitrogen deposition close to roads. As traffic composition transitions toward more petrol and electric cars (i.e., fewer diesel cars on the road) – catalytic converters may aid in reducing NOx emissions but result in increased ammonia emissions – therefore consideration of the potential for impacts is needed (see https://www.aqconsultants.co.uk/news/february-2020-(1)/ammonia-emissions-from-roads-for-assessing-impacts).</p>

				<p>There are currently two models which can be used to calculate the ammonia concentration and contribution to total N deposition from road sources. One of these models is publicly available and called CREAM (Air Quality Consultants - News - Ammonia Emissions from Roads for Assessing Impacts on Nitrogen-Sensitive Habitats (aqconsultants.co.uk), and there is another produced by National Highways.</p> <p>Potential impacts which may arise due to dust during construction should also be considered. Designated sites within 200m of a dust source should be screened in for impacts. Suitable mitigation for these impacts could be outlined within a Construction Environmental Management Plan (CEMP).</p> <p>Consideration should also be given to the potential for air quality impacts due to increased vessel movements during construction and operation.</p>
93	8.4	8.4.2 and 8.4.2.2	Water quality	<p>Potential for impacts to designated sites through surface water run-off from the development site will need to be assessed, this should include potential for increased nutrient and other pollutant inputs. Appropriate mitigation should be provided for sites that are hydrologically linked to the site. Designated sites that are within close proximity and are potentially hydrologically linked include Burton Bushes; Hornsea Mere; Bryan Mill Field; Leven Canal; Withow Gap; and Skipsea Bail Mere Sites of Special Scientific interest (SSSI). Please note that Hornsea Mere is also classified as a Special Protection Area (SPA)</p> <p>Production of a Construction Environmental Management Plan (CEMP) prior to commencement of the construction work which includes the following information;</p> <ul style="list-style-type: none"> • A surface water drainage strategy.
94	8.6.2.1	Table 8-13	Direct habitat/ feature damage	<p>The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within SSSIs and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The sites most at risk due to being in close proximity to the boundary are Burton Bushes; Hornsea Mere; Bryan Mill Field; Leven Canal; Withow Gap; and Skipsea Bail Mere Sites of Special Scientific interest (SSSI).</p>

95	8.6	8.6.2.1	Bird surveys	<p>Potential impacts that may arise from the proposal relate to the presence of mobile Humber Estuary SPA interest features both within and outside of the site boundary. Natural England advises that suitable bird surveys should be carried out to allow the HRA to consider:</p> <ul style="list-style-type: none"> • any impacts due to potential direct loss of functionally linked feeding habitat for Humber Estuary SPA bird species; • the potential for loss of functionally linked land which is adjacent to the project due to disruption of open vistas; • the potential for noise and visual disturbance impacts (including lighting) on functionally linked land during construction and operation. <p>Natural England notes that 1248 of the EIA Scoping Report (November 2023) states that overwintering and passage bird surveys of the Site are proposed. Additionally, <i>'further targeted non-breeding bird surveys including nocturnal surveys' are 'anticipated to be undertaken in 2023/2024'</i>. It is additionally stated in 6.2.7 that <i>'the bird survey data is currently being reviewed... with additional wintering survey ongoing to aid assessment'</i>.</p> <p>We welcome that wintering bird surveys are proposed and will provide detailed advice once the results are available to review. We note that the methodology for these surveys was not included in the documents provided, so we are unable to advise on their suitability at this stage.</p> <p>Please refer to Annex D (attached) for Natural England's guidance on passage and wintering bird surveys for functionally linked land associated with the Humber Estuary designated sites.</p>
96	8.6.3.2	1220	Functionally linked land	<p>Based on the location provided, the development is within 8km of the Humber Estuary designated sites and falls within a SSSI Impact Risk Zone.</p> <p>Natural England advises that likely significant effect from loss of functionally linked land cannot be ruled out at the screening stage due to potential habitat suitability and the presence of Humber Estuary SPA species recorded at the site. Therefore, we advise that the bird survey results, and other relevant data, should be considered at the appropriate assessment stage of the HRA. We note from section 6.2.5 of the EIA Scoping Report (November 2023) that 800 golden plover were recorded within the site boundary. This represents 3.84% of the Humber Estuary population (based on the Humber Estuary WeBS 5-year average count). We therefore advise that these results should be assessed in more detail.</p>

				<p>Natural England has generally advised that if $\geq 1\%$ of a Humber Estuary bird species population could be affected by a proposal, alone or in combination with other plans or projects, then further consideration is required. However, where species are particularly vulnerable due to declines in the Humber population, then it may not be appropriate to rely on the 1% of the estuary population as the critical threshold. Mitigation measures may be required where lower numbers of vulnerable species are using a site that is proposed for development.</p> <p>As well as proposal-specific surveys, we recommend you also obtain the following information to support the Habitats Regulations Assessment (HRA):</p> <ul style="list-style-type: none"> • A data search from appropriate source/s, such as the local Ecological Data Centre; • Consultation with the Council's Ecologist; • Consultation with local bird groups and other organisations that may hold relevant data; and • A desk-based assessment - using aerial photography, mapping, habitat maps and relevant ecological literature – of the suitability for SPA/ Ramsar birds of the habitats present on the proposed site and any potentially suitable adjacent fields. <p>We highlight that one of the features of the Humber Estuary SPA is an internationally important assemblage of waterbirds. The impacts of the proposal should be assessed with respect both to individual qualifying species and the overall assemblage. Please refer to Annex E for further guidance on the 'main component species' of the waterbird assemblage.</p>
97	8.8	8.8.2.1	Noise and visual disturbance	<p>Natural England advise there is potential for noise and visual disturbance impacts during both construction and decommission phases on designated sites/functionally linked land. We note and welcome that bird surveys and the interpretation of these is ongoing. We will provide detailed comments when these surveys are complete.</p> <p>We advise the HRA should detail noise levels during both construction and decommission phases of the development, and consider the impact of the noise levels on designated birds which may be utilising land functionally linked to the Humber Estuary SPA. For functionally linked land, the results of the surveys should be used to inform whether disturbing noise levels from the development will reach land utilised by significant bird numbers and inform the requirement for mitigation.</p> <p>The HRA should also consider the potential for visual disturbance during construction and operation of the development via lighting and movement of large machinery.</p>

				<p>The HRA should also consider the potential noise and visual impacts to Hornsea Mere SPA during both the construction and decommission phases. The site is also nationally designated as Hornsea Mere SSSI. It should be noted the SSSI has additional designated bird features which are not included within the SPA designation, and impacts to these features will also require assessment.</p>
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Annex D – Passage and wintering bird surveys for functionally linked land associated with the Humber Estuary and/or Lower Derwent Valley designated sites (Version 1.1, December 2021)

Background

The below guidance is intended to inform assessments of proposed development sites in proximity to the Humber Estuary and/or the Lower Derwent Valley designated sites only, where potential impacts from loss of/disturbance to functionally linked land (FLL) have been identified, for example due to presence of suitable habitat (such as arable land/grassland or open waterbodies) and/or relevant bird records and/or local knowledge.

Natural England recommends that surveys are undertaken of the site and surrounding fields to provide an overview of bird usage during wintering and spring/autumn passage periods.

We recommend that the surveys are carried out in line with the following best practice guidance. Where alternative approaches are used, clear justification should be provided.

Please note that recommended survey periods, frequency and design may differ for sites located within the boundaries of Humber Estuary or Lower Derwent Valley designated sites, or in proximity to other designated sites. Please contact Natural England in such cases.

Survey periods and frequency

Natural England recommends that surveys are completed at the following frequency:

- Autumn Passage – two surveys per month between August to October inclusive.
- Winter - two surveys per month between October to March inclusive.
- Spring Passage – two surveys per month between March - Mid-May inclusive.

We advise that spring and autumn passage surveys are completed (in addition to winter surveys) as the Humber Estuary and Lower Derwent Valley SPAs are important for species migrating between breeding and wintering sites. Further advice on seasonality for Humber

Estuary SPA and Lower Derwent Valley SPA designated features can be found at [Designated Sites View \(naturalengland.org.uk\)](https://www.naturalengland.org.uk) and [UK9006092 Lower Derwent Valley SPA Published 14 Sep 2023 \(naturalengland.org.uk\)](https://www.naturalengland.org.uk), respectively.

Weekly visits during the autumn and spring passage periods are recommended where birds are likely to be present in the migration period only, due to high turnover of birds during migration. Note that certain passage species, such as whimbrel associated with the Lower Derwent Valley SPA, may have specific survey requirements due to their migration behaviour. Please discuss such cases with Natural England.

Natural England recommends that two years of wintering and passage surveys should be completed in certain cases to provide a more robust understanding of SPA bird usage on the site and inform design of suitable mitigation, where relevant. This will depend on site-specific factors, for example where proposed development sites:

- are in very close proximity to the designated site/s; and/or
- have a large development footprint; and/or
- are expected/shown to have high bird sensitivity, especially where activity varies significantly between years; and/or
- existing bird records / expert advice demonstrates usage of the site by high numbers of SPA birds.

Please contact Natural England if you are unclear on whether two years of wintering and passage surveys are recommended for this proposal.

Survey design

Wintering/passage surveys should be designed to ensure that results are sufficient to provide a robust picture of distribution, abundance and regularity of use by waterbirds associated with the Humber Estuary and/or Lower Derwent Valley SPAs across the full extent of the proposed development site.

A detailed methodology should be included in the relevant report/s, including key information such as number of visits, date and time of visits, viewpoint locations and/or transect routes walked. The survey results should provide some understanding of how the birds use the site (for example, for roosting or foraging) as well as presence/ absence. We would expect to see commentary of birds landing and taking off within and outwith the development site. We also recommend recording birds in flight, particularly if the application may have the potential to affect bird flight lines.

Consideration should also be given to surveys in poor weather/ visibility conditions. Usual survey methodology is to avoid surveying in poor conditions due to potential reduced detectability of birds. However, use can vary in different weather conditions, so it may be helpful to carry on with surveys in poor weather. Weather conditions may affect the results of the surveys and therefore should be considered in assessing the robustness of the dataset.

In addition, details of wider weather conditions should be included, for example, where there may have been a particularly wet or cold season and this may change bird distribution across the area, due to frozen ground etc. Furthermore, a milder autumn may lead to wintering birds arriving later and vice versa in colder autumns.

The methodology should also consider whether the site has any seasonal features such as dips and low-lying areas that retain water at particular times, for example early in the season or in wet years. These areas may have importance for waders at these times, but if surveyed during a drier spell or where full passage/winter surveys have not been completed, it may be possible to underestimate the importance of the site.

For sites in close proximity to the Humber Estuary, the surveys should cover different tidal states. Use of sites closer to the estuary are more likely to be tidally influenced. For sites which may potentially affect high tide roosts, observations should be conducted from two hours before high tide to two hours after high tide. For sites where there are high tide roosts, it may be beneficial to have a series of counts at different heights of tides ('through the tide counts'), as some sites are only used on Spring tides and others are only used on Neap and low tides.

For sites in proximity to the Lower Derwent Valley, the surveys should cover different times of day and different flooding states in the valley. For example, during certain winter periods, the designated site may be extensively flooded and therefore usage of surrounding functionally linked land may be higher for wading birds.

The surveys should cover open arable land/grassland and any waterbodies within the proposed site boundary, as well as land adjacent to the development that could be affected and provides the potential to support designated site species. Where a site is adjacent to the Humber Estuary designated site, additional considerations may be required, for example ensuring adequate surveys of intertidal habitats. Please contact Natural England in such cases.

Surveys may also need to take account of surveys at dusk and dawn, depending upon the bird species (i.e. geese and swans). If geese and swans have the potential to use the development site or surrounding area, we would expect to see surveys 1 hour before and 1 hour after, dusk and dawn during the respective bird survey season (i.e. winter, spring and autumn passage (as above)). These surveys should be in addition to the standard daytime survey but can be carried out on the same day. For example, a dawn survey to count geese or swans at their night-time roost could then extend into a survey of daytime use of fields for foraging.

Natural England generally recommends that observations from vantage points (VP) are used. VP surveys are considered preferable to walkover surveys for observing behaviour of birds on the ground (i.e., whether they are foraging/loafing etc.), and to minimise the risk of flushing birds due to movement of a surveyor during a walkover survey. Also, birds which may otherwise have landed in the field during the survey period may be unlikely to do so with the presence of a moving surveyor. If landscape features mean it is not possible to avoid walking through part of the survey area to get from one point count to another, this should be noted and the reaction of any birds present recorded, including any that are flushed.

Further guidance on vantage point surveys can be found at [Recommended bird survey methods to inform impact assessment of onshore windfarms | NatureScot](#). Natural England recognises that the NatureScot VP guidance is written for impacts associated with wind turbines. However, Natural England considers that the survey guidance detailed in Section 3.7 provides an appropriate methodology to identify distribution and abundance of birds to inform the assessment of other developments. We acknowledge that some of the information regarding the required watch hours and height considerations etc will not be relevant in the context of other developments. Therefore, site-specific considerations should be taken into account when designing the survey methods.

Where VP surveys are not considered appropriate for a particular site, clear reasoning and justification regarding the alternative survey methods undertaken should be provided.

Natural England has generally advised that if $\geq 1\%$ of a Humber Estuary bird species population could be affected by a proposal, alone or in combination with other plans or projects, then further consideration is required. However, where species are particularly vulnerable due to declines in the Humber population, then it may not be appropriate to rely on the 1% of the estuary population as the critical threshold. Mitigation measures may be required where lower numbers of vulnerable species are using a site that is proposed for development.

Nocturnal surveys

Wader and waterfowl usage of arable land/grassland outside designated sites can be substantially different at night. Therefore, Natural England recommends nocturnal surveys are also carried out if waders and/or waterfowl have the potential to use the development site. These surveys should be in addition to the standard daytime surveys. We recommend that several visits should be completed to determine if the site and/or surrounding areas play a regular role in supporting SPA species at night. Night vision/infra-red equipment and survey on moonlit nights can establish presence of nocturnal species or presence and direction of feeding/migration movements both by calls and by sight¹.

Guidance on nocturnal surveys can be found at [Nocturnal bird surveys | Bird Survey Guidelines](#). The nocturnal survey design should take this guidance into account, and the approach should be justifiable in the assessment. It should be noted that for most species nocturnal activity is likely to be underestimated in any attempted survey.

Annex E – Humber Estuary SPA component species

The Humber Estuary Special Protection Area (SPA) qualifies under article 4.2 of the European Commission Bird Directive (79/409/EEC) in that it supports an internationally important assemblage of waterbirds. Confusion can arise concerning which species to consider when assessing the Humber Estuary SPA non-breeding, waterbird assemblage feature.

Natural England recommends focusing on what are referred to as the ‘main component species’ of the assemblage. Main component species are defined as:

- a) All species listed individually under the assemblage feature on the SPA citation (i.e the species that qualified in 2007 when the site was designated).
- b) Species which might not be listed on the SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count (currently 2017/18 - 2021/22).
- c) Species where more than 2000 individuals are present according to the most recent Humber Estuary WeBS count.

The assemblage qualification is therefore subject to change as species’ populations change. It should be noted that species listed on the citation under the assemblage features, whose populations have fallen to less than 1% of the national population, retain their status as a main component species and should be considered when assessing the impacts of a project or plan on the Humber Estuary SPA.

Natural England advises that the main component species of the Humber Estuary SPA non-breeding waterbird assemblage include (June 2023):

a) *Species listed individually under the assemblage feature on the SPA citation:*

- Avocet, *Recurvirostra avosetta* (non-breeding)
- Bar-tailed godwit, *Limosa lapponica* (non-breeding)
- Bittern, *Botaurus stellaris* (non-breeding)
- **Black-tailed godwit, *Limosa limosa islandica* (non-breeding)¹**
- **Brent goose, *Branta bernicla* (non-breeding)¹ • Curlew, *N. arquata* (non-breeding)¹**
- **Dunlin, *Calidris alpina alpina* (non-breeding)¹**
- **Golden plover, *Pluvialis apricaria* (non-breeding)¹**
- Goldeneye, *Bucephala clangula* (non-breeding)
- Greenshank, *T. nebularia* (non-breeding)
- Grey plover, *P. squatarola* (non-breeding)
- Knot, *Calidris canutus* (non-breeding)
- **Lapwing, *Vanellus vanellus* (non-breeding)¹**
- **Mallard, *Anas platyrhynchos* (non-breeding)¹**
- Oystercatcher, *Haematopus ostralegus* (non-breeding)
- Pochard, *Aythya farina* (non-breeding)
- **Redshank, *Tringa totanus* (non-breeding)¹**
- Ringed plover, *Charadrius hiaticula* (non-breeding)
- **Ruff, *Philomachus pugnax* (non-breeding)¹**
- Sanderling, *Calidris alba* (non-breeding)
- Scaup, *Aythya marila* (non-breeding)
- **Shelduck, *Tadorna tadorna* (non-breeding)¹**
- **Teal, *Anas crecca* (non-breeding)¹**
- Turnstone, *Arenaria interpres* (non-breeding)
- **Whimbrel, *Numenius phaeopus* (non-breeding)¹**
- **Wigeon, *Anas Penelope* (non-breeding)¹**

And

b) Species which are not listed on the SPA citation but occur at site levels of more than 1% of the national population according to the most recent Humber Estuary Wetland Bird Survey (WeBS) 5-year average count:

- Green sandpiper, *Tringa ochropus* (non-breeding)
- **Greylag goose, *Anser anser* (non-breeding)¹**
- **Little egret, *Egretta garzetta* (non-breeding)¹**
- **Pink-footed goose, *Anser brachyrhynchus* (non-breeding)¹**
- Shoveler, *Anas clypeata* (non-breeding)
- **Crane, *Grus grus* (non-breeding)¹**

As stated above, the assemblage qualification is subject to change as species' populations change; therefore, the appropriate WeBS data should be considered in any assessment and the above list should be used as a guide only.

Please note, the advice set out above should be considered when assessing potential impacts on the waterbird assemblage feature. You will also need to consider potential impacts on species which are not considered to be non-breeding waterbirds but are listed on the citation qualifying under article 4.1 and 4.2 of the Directive. These include:

- **Hen harrier, *Circus cyaneus* (non-breeding)¹**
- **Marsh Harrier, *Circus aeruginosus* (breeding)¹**
- Little tern, *Sterna albifrons* (breeding)
- Avocet, *Recurvirostra avosetta* (breeding)
- Bittern, *Botaurus stellaris* (breeding)

The species marked ¹ in **bold text** are known to use off-site supporting habitat / functionally linked land (FLL) (e.g. arable farmland, grassland/pasture, and/or non-estuarine waterbodies) in the non-breeding season and may therefore be the most relevant for assessing potential impacts of a proposed plan/project on birds using FLL associated with the Humber Estuary SPA. However, please note that this list should be used as a guide only; usage may depend on factors such as the habitats available on the site and distance to the Humber Estuary etc. Therefore, assessments of potential impacts on birds using functionally linked land should consider all relevant species and clear justification should be provided if any species are excluded from the assessment.

References

1. Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)
2. *Note on Environmental Impact Assessment Directive for Local Planning Authorities* Office of the Deputy Prime Minister (April 2004)

(Available from

<http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/sustainability/environmental/environmentalimpactassessment/noteenvironmental/>)

3. *People Over Wind and Sweetman vs Coillte Teoranta* (ref: C 323/17)
4. Natural England (2020) Norfolk Boreas Offshore Wind Farm: Deadline 6 –Natural England’s comments on Norfolk Boreas approach to as-built vs consented turbine numbers and headroom in cumulative/in-combination collision assessments.

(Available from: [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-001760-DL6%20-%20NE%20https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-001760-DL6-NE - Comments on Headroom.pdf%20Comments%20on%20Headroom.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-001760-DL6%20-%20NE%20https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-001760-DL6-NE-Comments%20on%20Headroom.pdf))

5. Natural England (2020) Norfolk Boreas Offshore Wind Farm: Deadline 7 –Natural England’s Updated Ornithology Advice.

(Available from: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010087/EN010087-001965-DL7%20-%20NE%20-%20Updated%20Ornithology%20advice.pdf>)

6. Natural England (2021) Appendix A22 to the Natural England Deadline 11 Submission Natural England’s Representation to East Anglia ONE (EA1) NonMaterial Change to DCO Application.

(Available from: [https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005285-DL11%20https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005285-DL11 - Natural England EA1N Appendix A22 NE Representation to East Anglia ONE Non-Material Change to DCO.pdf%20Natural%20England%20EA1N%20Appendix%20A22%20NE%20Representation%20to%20East%20Anglia%20ONE%20NonMaterial%20Change%20to%20DCO.pdf](https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005285-DL11%20https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010077/EN010077-005285-DL11-Natural%20England%20EA1N%20Appendix%20A22%20NE%20Representation%20to%20East%20Anglia%20ONE%20NonMaterial%20Change%20to%20DCO.pdf))

From: [Tony Ridley](#)
To: [Dogger Bank D](#)
Cc: [Darren Percival](#); [Julian Sheppard](#)
Subject: Network Rail Consultation Response - EN010144
Date: 23 July 2024 13:13:28
Attachments: [Outlook-5ohpxp2o.png](#)
[Outlook-tj4p5g3.png](#)
[Outlook-Twitter_bi.png](#)
[Outlook-ybisaihp.gif](#)
[Outlook-Email_sign.png](#)

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OFFICIAL

Dear Sir/Madam,

FAO – Planning Inspectorate
Ref – EN010144
Proposal – Dogger Bank D Offshore Wind Farm
Location – Dogger Bank D Offshore Wind Farm, East Yorkshire

Thank you for your letter dated 25/06/2024 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.

In reference to the protection of the railway, the Environmental Statement (ES) should consider any impact of the scheme upon the railway infrastructure and operational railway safety. In particular, if deemed relevant for operational railway safety, the ES should include a Glint and Glare Study assessing the impact of the scheme upon train drivers (including, distraction from glare and potential for conflict with railway signals). We note that this is referenced in the scoping document. The ES should also include a Transport Assessment to identify any HGV traffic/haulage routes associated with the construction and operation of the developer's site that may utilise railway assets, such as bridges and level crossings, during the construction and operation phases of the development.

Please note that if the intention is to install cabling under, through or above railway land, the developer will be need an easement from Network Rail, and in turn, we would recommend that the developer engages with us early in the planning of their scheme to discuss and agree this particular element of the proposal.

Regards,

Tony Ridley

Surveyor – Property Services

Land & Property (Eastern)

M: [REDACTED]

W: www.networkrail.co.uk/property

E: [REDACTED]

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From: [Before You Dig](#)
To: [Dogger Bank D](#)
Cc: [Before You Dig](#)
Subject: RE: EXT:EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Consultation
Date: 04 July 2024 15:02:14
Attachments: [image006.png](#)
[image007.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)

Good afternoon,

NGN has a number of gas assets in the vicinity of some of the identified “site development” locations. It is a possibility that some of these sites could be recorded as Major Accident Hazard Pipelines(MAHP), whilst other sites could contain High Pressure gas and as such there are Industry recognised restrictions associated to these installations which would effectively preclude close and certain types of development. The regulations now include “Population Density Restrictions” or limits within certain distances of some of our “HP” assets.

The gas assets mentioned above form part of the Northern Gas Networks “bulk supply” High Pressure Gas Transmission” system and are registered with the HSE as Major Accident Hazard Pipelines.

Any damage or disruption to these assets is likely to give rise to grave safety, environmental and security of supply issues.

NGN would expect you or anyone involved with the site (or any future developer) to take these restrictions into account and apply them as necessary in consultation with ourselves. We would be happy to discuss specific sites further or provide more details at your locations as necessary.

If you give specific site locations, we would be happy to provide gas maps of the area which include the locations of our assets.

(In terms of High Pressure gas pipelines, the routes of our MAHP’s have already been lodged with members of the local Council’s Planning Department)

Regards,

David Reynolds MIGEM

Network Support Officer – Customer Operations Support
Northern Gas Networks

Mobile: +44 (0) [REDACTED]

www.northerngasnetworks.co.uk

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Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD. **For information on how we use your details please read our [Personal Data Privacy Notice](#)**

From: Dogger Bank D <DoggerBankD@planninginspectorate.gov.uk>

Sent: Tuesday, June 25, 2024 3:33 PM

Subject: EXT:EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Consultation

You don't often get email from doggerbankd@planninginspectorate.gov.uk. 

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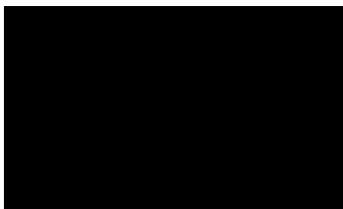
Dear Sir/Madam

Please see attached correspondence on the proposed Dogger Bank D Offshore Wind Farm.

Please note the deadline for consultation responses is 23 July 2024, which is a statutory requirement that cannot be extended.

Kind regards

Joseph Jones



Joseph Jones | Associate EIA Advisor
The Planning Inspectorate

Tel: 



@PINSgov



The Planning Inspectorate



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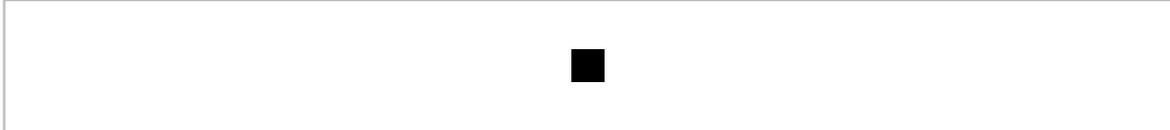
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DPC:76616c646f72



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From: [Jane Price](#)
To: [Dogger Bank D](#)
Subject: Dogger Bank D Scoping Report
Date: 08 July 2024 17:19:54
Attachments: [image001.png](#)

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Dear Sir/Madam

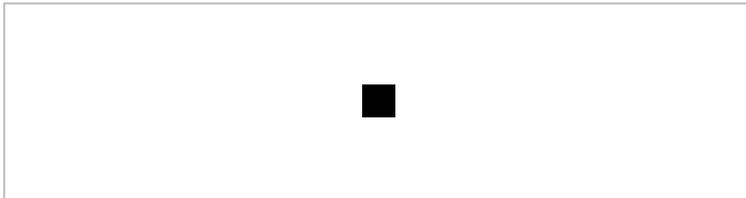
Further to your letter of 25 June 2024 regarding the above, please be advised that Skidby Parish Council does not have any comments on the proposals.

Kind regards

Jane

Jane Price
Clerk to Skidby Parish Council

Tel: 
Email: clerk@skidbyparishcouncil.gov.uk
Web: skidbyparishcouncil.gov.uk



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From: [Stephen Vanstone](#)
To: [Dogger Bank D](#)
Cc: [Trevor Harris](#)
Subject: FW: EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Notification and Consultation
Date: 19 July 2024 11:30:01
Attachments: [image002.png](#)
[image010.ipq](#)
[image011.png](#)
[image012.ipq](#)
[image013.png](#)
[image014.png](#)
[Dogger Bank D Letter to stat cons Scoping & Req 11 Notification.pdf](#)
[RE EN010144 Dogger Bank D Offshore Wind Farm - EIA Scoping Notification and Consultation.msg](#)

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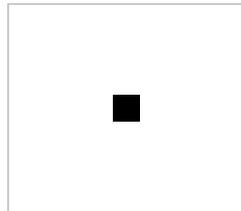
Good morning Joseph,

With reference to the attached, I can confirm that Trinity House has no further comments to add to those that we made last year (attached for ease of reference).

Kind regards,

Stephen Vanstone

Navigation Services Manager | Navigation Directorate | Trinity House



From: Dogger Bank D <DoggerBankD@planninginspectorate.gov.uk>
Sent: Tuesday, June 25, 2024 4:30 PM
To: Navigation <navigation.directorate@trinityhouse.co.uk>; Thomas Arculus <Thomas.Arculus@trinityhouse.co.uk>
Subject: EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Notification and Consultation

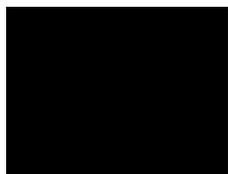
Dear Sir/Madam

Please see attached correspondence on the proposed Dogger Bank D Offshore Wind Farm.

Please note the deadline for consultation responses is 23 July 2024, which is a statutory requirement that cannot be extended.

Kind regards

■ seph Jones



Joseph Jones | Associate EIA Advisor
The Planning Inspectorate

Tel: ■■■■■■■■■■

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From: [Stephen Vanstone](#)
To: [Dogger Bank D](#)
Subject: RE: EN010144 – Dogger Bank D Offshore Wind Farm - EIA Scoping Notification and Consultation
Attachments: [image004.png](#)
[image002.ipa](#)
[image003.png](#)
[image006.ipa](#)
[image008.png](#)
[image010.png](#)

Good afternoon Emma,

With reference to the above consultation, I can advise that Trinity House would expect the following to form part of the Environmental Statement:

Navigation Risk Assessment

Comprehensive vessel traffic analysis in accordance with MGN 654.

The possible cumulative, in-combination and trans-boundary effects on shipping routes and patterns must be adequately assessed.

Risk Mitigation Measures

We consider that this development will need to be marked with marine aids to navigation by the developer/operator in accordance with the general principles outlined in IALA (International Association of Marine Aids to Navigation and Lighthouse Authorities) Guideline G1162 - The Marking of Offshore Man-Made Structures as a risk mitigation measure. In addition to the marking of the structures themselves, it should be borne in mind that additional aids to navigation such as buoys may be necessary to mitigate the risk posed to the mariner, particularly during the construction phase. All marine navigational marking, which will be required to be provided and thereafter maintained by the developer, will need to be addressed and agreed with Trinity House. This will include the necessity for the aids to navigation to meet the internationally recognised standards of availability and the reporting thereof.

Assessment of impact on existing aids to navigation, to include both offshore and shore based (where any cabling reaches landfall) aids to navigation.

A decommissioning plan, which includes a scenario where on decommissioning and on completion of removal operations an obstruction is left on site (attributable to the wind farm) which is considered to be a danger to navigation and which it has not proved possible to remove, should be considered. Such an obstruction may require to be marked until such time as it is either removed or no longer considered a danger to navigation, the continuing cost of which would need to be met by the developer/operator.

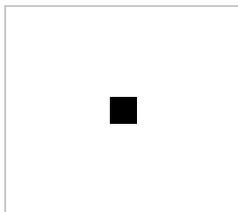
The possible requirement for navigational marking of the export cables and the vessels laying them. If it is necessary for the cables to be protected by rock armour, concrete mattresses or similar protection which lies clear of the surrounding seabed, the impact on navigation and the requirement for appropriate risk mitigation measures needs to be assessed.

Kind regards,

Stephen Vanstone

Navigation Services Manager | Navigation Directorate | Trinity House

[www.trinityhouse.co.uk](#)



From: Dogger Bank D <DoggerBankD@planninginspectorate.gov.uk>
Sent: 24 April 2023 15:34
To: Navigation <navigation@trinityhouse.co.uk>
Cc: Thomas Arculus <Thomas.Arculus@trinityhouse.co.uk>
Subject: EN010144 – Dogger Bank D Offshore Wind Farm - EIA Scoping Notification and Consultation

FAO Steve Vanstone Navigation Services Office

Dear Sir/Madam

Please see attached correspondence on the proposed Dogger Bank D Offshore Wind farm

Please note the deadline for consultation responses is 22nd May 2023 and is a statutory requirement that cannot be extended.

Kind regards,
Emma Cottam
Senior EIA Advisor
Major Casework Directorate
The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN

Twitter: @PINSgov
Helpline: 0303 444 5000
Email: emma.cottam@planninginspectorate.gov.uk

Web: <http://infrastructure.planninginspectorate.gov.uk> (National Infrastructure Planning website)

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Emma Cottam | Senior EIA Advisor
The Planning Inspectorate



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DPC:76616c646f72



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Subject: RE: EN010144 – Dogger Bank D Offshore Wind Farm - EIA Scoping Notification and Consultation
Attachments: [image004.png](#)
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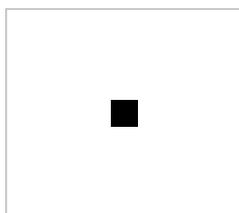
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Kind regards,

Stephen Vanstone

Navigation Services Manager | Navigation Directorate | Trinity House

[www.trinityhouse.co.uk](#)



From: Dogger Bank D <DoggerBankD@planninginspectorate.gov.uk>
Sent: 24 April 2023 15:34
To: Navigation <navigation@trinityhouse.co.uk>
Cc: Thomas Arculus [REDACTED]
Subject: EN010144 – Dogger Bank D Offshore Wind Farm - EIA Scoping Notification and Consultation

FAO Steve Vanstone Navigation Services Office

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Major Casework Directorate
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Twitter: @PINSgov
Helpline: 0303 444 5000
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Emma Cottam | Senior EIA Advisor
The Planning Inspectorate



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UK Health
Security
Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN010144
Our Ref: 66241CIRIS

Ms Emma Cottam
Senior EIA Advisor
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

19th July 2024

Dear Ms Cottam

**Nationally Significant Infrastructure Project
Dogger Bank D Offshore Wind Farm - EIA Scoping Consultation, EN010144
Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up, to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We recognise the promoters proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*¹, setting out aspects to be addressed within the Environmental Statement¹. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Onshore Air Quality and Dust

UKHSA are satisfied that the characterisation of the existing environment is proportionate and that the key air quality and dust impacts have been included in the scope of the EIA. The identified data sources are satisfactory, and the assessment approach follows industry standard practice.

UKHSA notes that the applicant has stated the intention to scope out potential impacts on air quality during the operational phase including that of back-up generators, which are unlikely to pose a significant impact to local air quality due to their infrequent use. However, no justification has been provided to support this statement. UKHSA suggests that reasoning is provided for scoping out the impact of back-up generators usage to local air quality.

Please note that our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e, an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their

¹
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

consideration during development design, environmental and health impact assessment, and development consent.

Water Resources and Flood Risk

Whilst the Environment Agency and Local Authorities are the key consultees in this area UKHSA recognises the characterisation of the existing environment detailed but note that there is little consideration of potential impacts on human health as a result of changes to the water table and impacts on water abstraction or private water supplies or contamination of waters used for recreational purposes.

Yours sincerely

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

From: [Eve Jones](#)
To: [Dogger Bank D](#)
Subject: RE: EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Consultation
Date: 26 June 2024 15:20:20
Attachments: [image001.png](#)
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[image007.png](#)
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[image978707.jpg](#)
[image710007.jpg](#)
[image482188.jpg](#)
[image188836.jpg](#)
[Dunamis500559 - Burn Park 132kV & FIBRE CABLE ROUTE.pdf](#)

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Good Afternoon,

I can confirm that UKPD do have assets within the search area.

Please see attached. If you have any questions, please do not hesitate to get in touch.

Kind Regards,
Eve

Eve Jones
Network Records Administrator
[REDACTED]

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From: Dogger Bank D <DoggerBankD@planninginspectorate.gov.uk>
Sent: Tuesday, June 25, 2024 3:33 PM
Subject: EN010144 - Dogger Bank D Offshore Wind Farm - EIA Scoping Consultation

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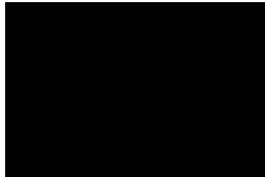
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Kind regards

Joseph Jones



Joseph Jones | Associate EIA Advisor
The Planning Inspectorate

Tel: [Redacted]



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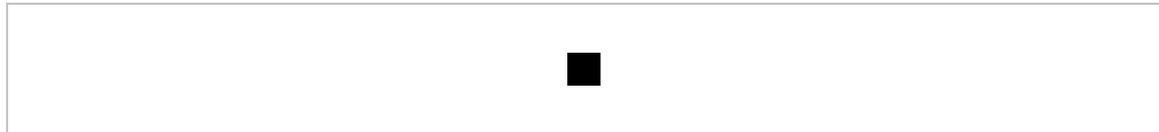
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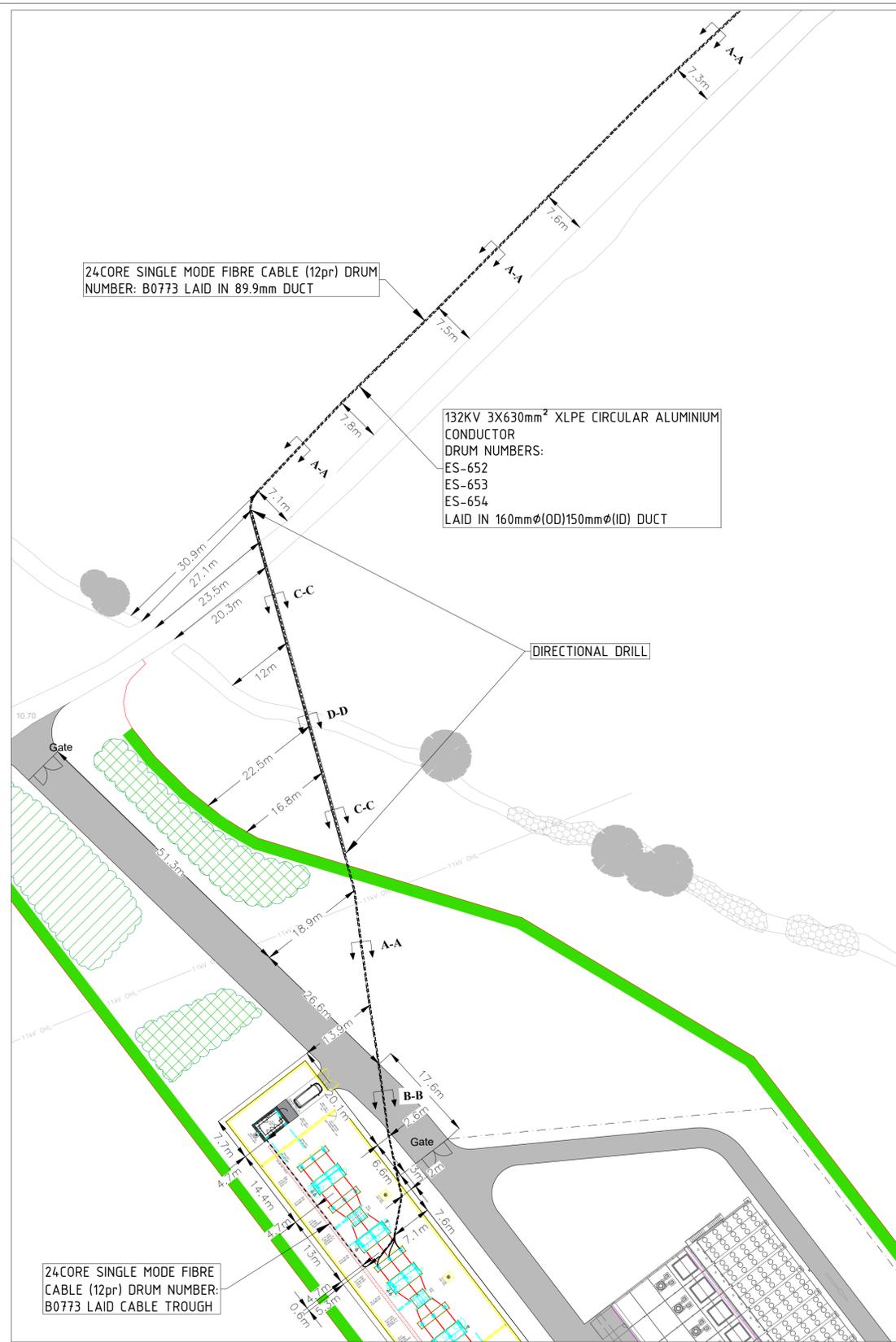
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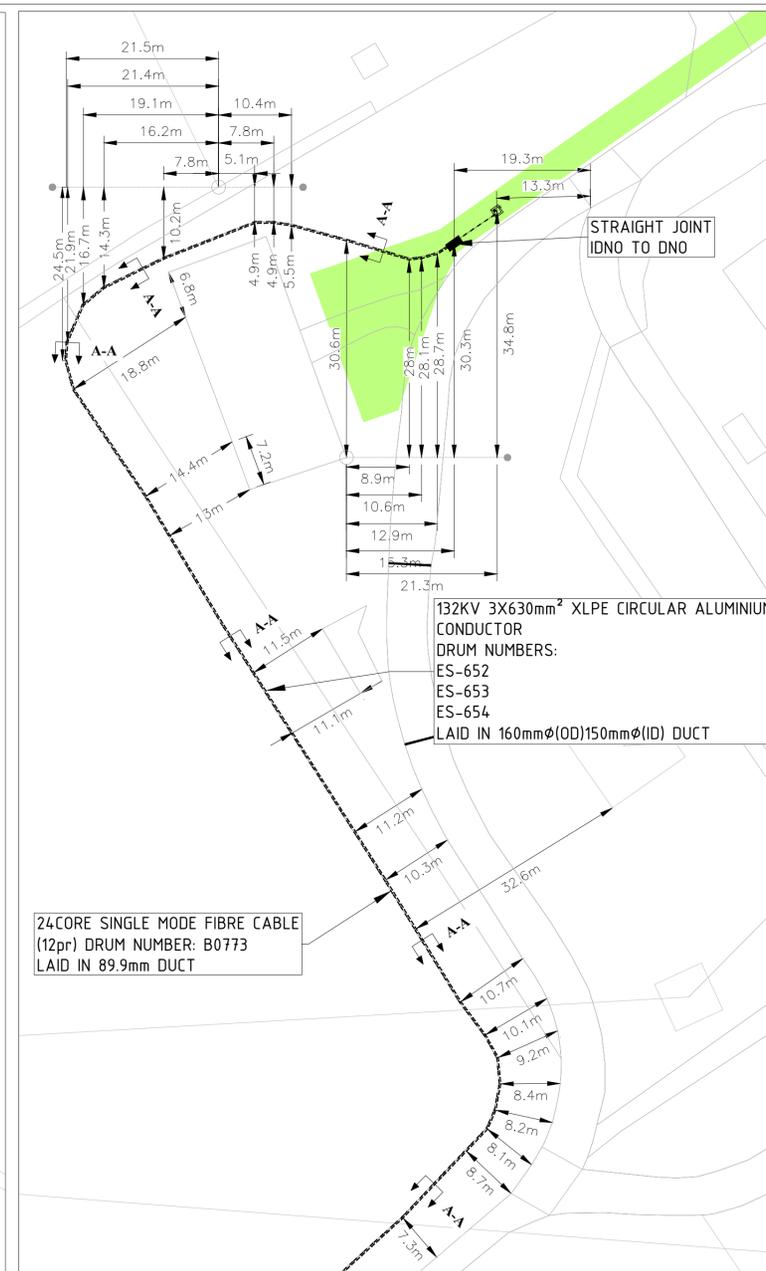
DPC:76616c646f72



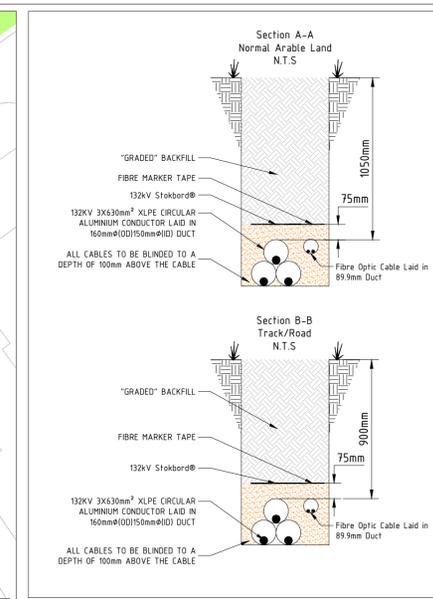
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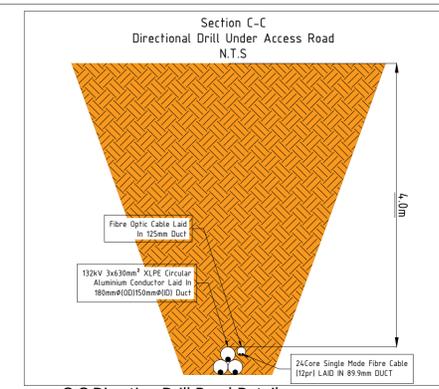
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Scale: 1:500



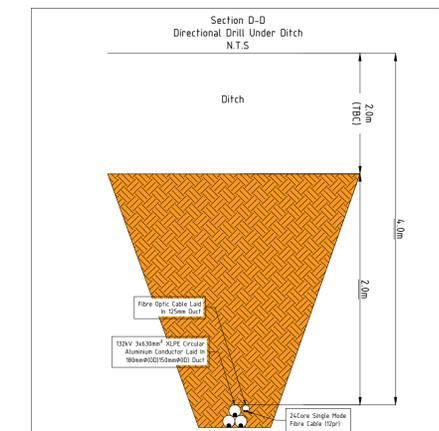
2 132kV/Fibre Cable Route Continued
Scale: 1:500



3 A-A & B-B Trench Details
Scale: N.T.S.



4 C-C Direction Drill Road Detail
Scale: N.T.S.



5 D-D Direction Drill Ditch Detail
Scale: N.T.S.

AS CONSTRUCTED INFORMATION PRINCIPLE QUANTITIES			
FROM	TO	SIZE	LENGTH
SEALING ENDS	HV JOINT BAY	3X630mm² XLPE CIRCULAR ALUMINIUM	480m
UKPD CONTROL ROOM	FIBRE OPTIC JOINT CHAMBER	24CORE SINGLE MODE FIBRE CABLE(12pr)	510m

Site Address:
CREYKE BECK GAS GENERATION
BURN PARK COTTAGES
CREYKE BECK
HULL
HU16 5SB

Notes:
IDNO 132kV CABLE DUCT
IDNO 132kV CABLE
IDNO FIBRE DUCT
IDNO FIBRE CABLE
NPG CABLE EASEMENT

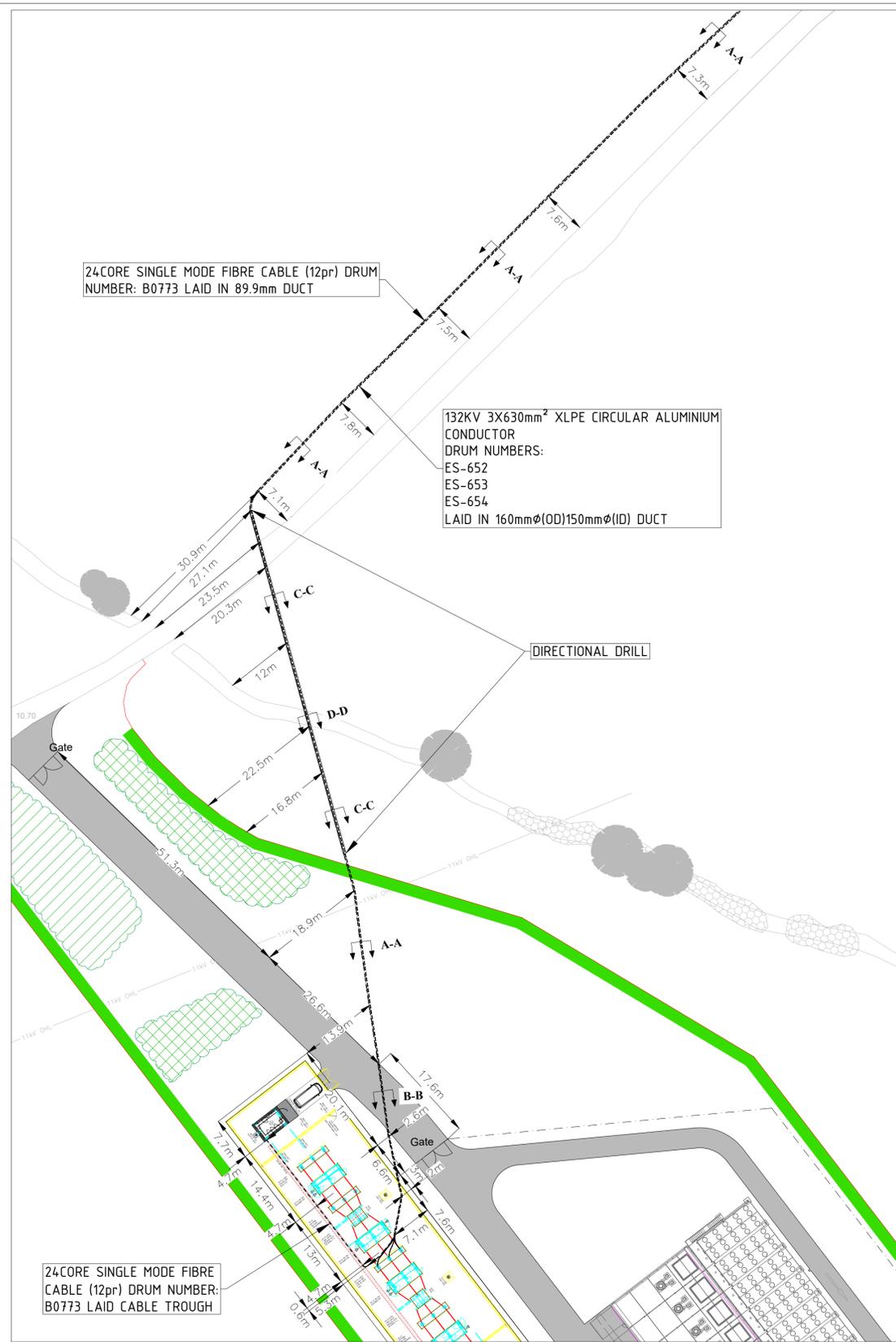
Rev:	Date:	Details:	Eng:	Chk'd:
Z3	08.01.18	ROAD AMENDMENT	M.P.	D.G.
Z2	19.12.17	MINOR AMENDMENT	M.P.	D.G.
Z1	06.11.17	AS-BUILT	M.P.	D.G.

Head Office
6500 Daresbury Park
Daresbury
Warrington
WA4 4GE
Tel: 0844 74 000 74
Fax: 0844 74 000 75

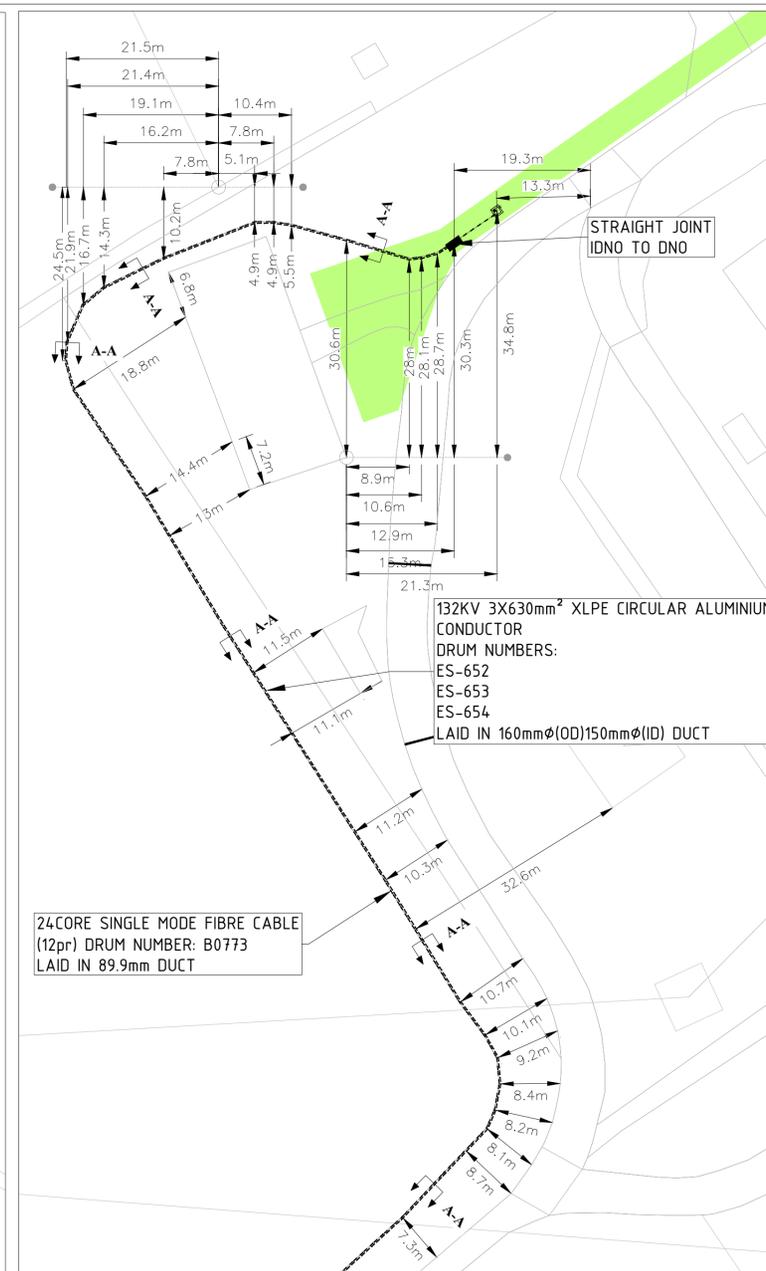
ICP: STATERA ENERGY			
DNO: UKPD/NPG			
Drawn By: P.B.	App: D.G.	SCALE @ A1	1:500
Checked by: S.A.	Date: 06/11/17	SCALE @ A3	1:1000
Status: AS LAID			

Drawing Title:
132kV & FIBRE CABLE ROUTE AS LAID

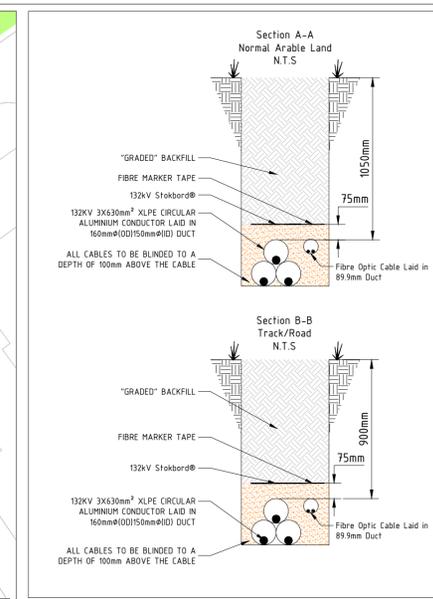
Drg No: MPS-500559-2001
Rev: Z3



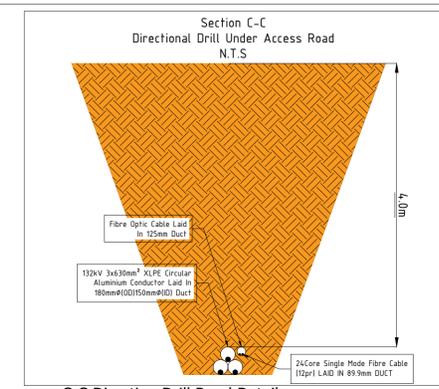
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Scale: 1:500



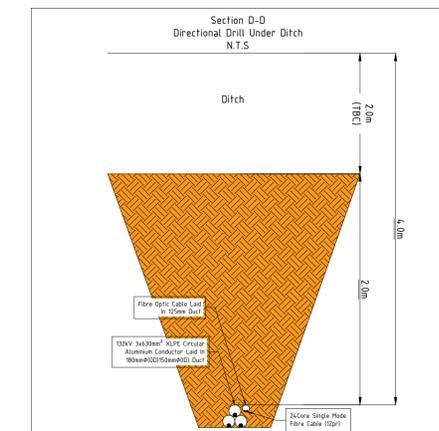
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Scale: 1:500



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Scale: N.T.S.



4 C-C Direction Drill Road Detail
Scale: N.T.S.



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HULL
HU16 5SB

Notes:
IDNO 132kV CABLE DUCT
IDNO 132kV CABLE
IDNO FIBRE DUCT
IDNO FIBRE CABLE
NPG CABLE EASEMENT

Rev:	Date:	Details:	Eng:	Chk'd:
Z3	08.01.18	ROAD AMENDMENT	M.P.	D.G.
Z2	19.12.17	MINOR AMENDMENT	M.P.	D.G.
Z1	06.11.17	AS-BUILT	M.P.	D.G.

Head Office
6500 Daresbury Park
Daresbury
Warrington
WA4 4GE
Tel: 0844 74 000 74
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ICP: STATERA ENERGY			
DNO: UKPD/NPG			
Drawn By: P.B.	App: D.G.	SCALE @ A1	1:500
Checked by: S.A.	Date: 06/11/17	SCALE @ A3	1:1000
Status: AS LAID			

Drawing Title:
**132kV & FIBRE CABLE ROUTE
AS LAID**

Drg No: MPS-500559-2001
Rev: Z3