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2 The Square
Bristol, BS1 6PN

Customer Services: 0303 444 5000
e-mail: Hornsea@infrastructure.gsi.gov.uk

Your Ref:

To all interested parties, affected
persons and other parties

Our Ref: EN010033

Date: 18 December 2013

Dear Sir/Madam

Planning Act 2008 (as amended) – Section 89 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Rule 8

Application by SMart Wind Ltd for an Order granting Development Consent for the Hornsea Offshore Wind Farm – Project One

Examination timetable and procedure

I write to tell you about the procedural decisions made by the Examining Authority (ExA) at and following the Preliminary Meeting held on Tuesday 10 December 2013 at The Ashbourne Hotel, North Killingholme, Immingham, DN40 3JL. This letter provides you with the examination timetable, a link to the initial questions that the ExA is asking in the examination and other matters.

A note of the Preliminary Meeting will be made available both under the relevant project page on the National Infrastructure pages of the Planning Portal website and for inspection at the venues listed in Annex A. An audio recording of the Preliminary Meeting has now been published on our website and can be accessed by following this [link](#).

Procedural decision and timetable

The ExA has now made its procedural decisions about the way in which the application is to be examined. The revised timetable is attached as Annex B, with a list of relevant abbreviations provided at Annex D. Alterations to the timetable made after the Preliminary Meeting are explained in Annex C.

If the ExA considers it necessary to vary the timetable further, full notification will be sent to all interested parties and affected persons and published on the National Infrastructure pages of the Planning Portal website. We will also do this if the date, time and place of any hearing is changed, except in the event of an adjournment.

Initial questions

The ExA has decided to ask a number of initial questions. These questions are now published on the National Infrastructure pages of the Planning Portal website and can be accessed through the following [link](#). Responses must be received on or before **Monday 20 January 2014**.

Written representations

The ExA also invites all interested parties to submit written representations, Statements of Common Ground and evidence on any matters concerning the application, and on relevant representations already submitted. All written representations must also be received on or before **Monday 20 January 2014**.

Please send your representations to the Planning Inspectorate using the email or postal address at the top of this letter, quoting reference EN010033 and your unique reference number, if one is quoted on this letter.

Representations can deal with any relevant matter. They are not restricted to the matters set out in the ExA's initial assessment of principal issues which was discussed at the Preliminary Meeting, nor restricted to the questions published by the ExA. Please note that under Rule 10(4) of the Examination Procedure Rules any person, other than the applicant, who submits a written representation, must identify in their written representation those parts of the application with which they agree and those parts with which they do not agree, and must state the reasons for such disagreement.

Guidance for the submission of written representations

There is no prescribed form for written representations. In accordance with DCLG 'Planning Act 2008: Guidance for the examination of applications for development consent for nationally significant infrastructure projects (April 2013)', participants should normally provide with their written statements, 'the data, methodology and assumptions used to support their submissions'.

Any written representation that exceeds 1500 words should also be accompanied by a summary. This summary should not exceed 10% of the original text. The summary should set out the key facts of the written representation and must be representative of the submission made.

To assist in the timely processing of written representations submitted by the deadline specified, we request that interested parties send, where practicable, electronic copies of their submissions as email attachments, to Hornsea@infrastructure.gsi.gov.uk on or before **Monday 20 January 2014**. Electronic attachments should be clearly labelled with subject title and not exceed 12MB for each email. Should electronic submissions include documents of 300 pages or more, interested parties are advised to send to the Planning Inspectorate, by post, three additional full paper copies of their submission.

Timely submissions in advance of the deadlines set in the timetable are encouraged.

Notification of a wish to attend a hearing

The ExA now requests notifications from –

- (a) any interested party who wishes to be heard at an open floor hearing;
- (b) any interested party who wishes to make oral representations at the issue-specific hearing on **Thursday 13 February 2014**, in relation to the topics identified in serial 7 of Annex B;
- (c) any affected person who wishes to make oral representations at a compulsory acquisition hearing;
- (d) any interested party or affected person who wishes to attend the ExA's inspection of sites to be held on Wednesday **12 February 2014**, in the company of interested parties.

These notifications must be received on or before **Monday 13 January 2014**.

If an interested party wishes to attend an open floor or issue-specific hearing they should indicate which topics in their relevant or written representations they wish to address at the hearing. Similarly, any affected person wishing to attend a compulsory acquisition hearing should identify clearly the plots of land about which they wish to speak.

Procedure at hearings

The procedure to be followed at hearings is set out in Rule 14 of the Examination Procedure Rules. Your attention is drawn in particular to Rule 14(5), which specifies that –

The Examining authority shall be responsible for the oral questioning of a person giving evidence ("A") except where, in the view of the Examining authority, oral questioning of A by another person ("B") is necessary in order to ensure—

- (a) adequate testing of any representation; or
- (b) that B has a fair chance to put B's case.

Site inspection in the company of interested parties

The ExA intends to make a site inspection, in the company of interested parties. The current intention is to visit these locations -

- Landfall site, near North Coates Village
- Louth Canal Crossing
- Team Gate Drain Crossing
- A160 roundabout crossing
- HVDC Converter/HVAC substation site

A [draft itinerary](#) and [route plan](#) can be found through these hyperlinks and on the National Infrastructure pages of the Planning Portal website. The ExA will consider any requests to visit further sites. A final itinerary and route will be published no later than Thursday 30 January 2014.

The inspection will be made on **Wednesday 12 February 2014**. Transport will be provided.

The ExA welcomes interested parties to join the site visit, either for the duration or at specific sites. To ensure the smooth running of the site visit, please inform the Case Manager, Katherine Chapman, by **Thursday 6 February 2014** if you wish to attend the whole accompanied site visit or meet the ExA at a particular location.

Please note that the site visit is not an opportunity to make any oral representations on the application. Participants may be invited by the ExA to indicate specific features or sites of interest.

Habitats Regulations

The applicant is now requested to update the screening and integrity matrices submitted with the application to set out the most up to date position on areas of agreement between parties in respect of potential impacts upon European Sites. The applicant should revise the matrices to include in the footnotes a summary of the evidence used to reach the conclusions along with references to any detailed supporting information within other application documents. The updated matrices must be received on or before **Monday 20 January 2014**.

Availability and inspection of representations and documents

Written representations and documents sent to the Planning Inspectorate will be made available to all interested parties and to anyone who requests an opportunity to inspect and take copies of them.

This information will be made available on the relevant project page on the National Infrastructure pages of the Planning Portal website.

<http://infrastructure.planningportal.gov.uk/projects/yorkshire-and-the-humber/hornsea-offshore-wind-farm-zone-4-project-one/?ipcsection=docs>. We will also provide an opportunity for viewing this webpage and copying at a number of locations in the vicinity of the application site as indicated at Annex A.

Deadlines for receipt of documents and requests for hearings

It is important to note that if written representations, responses to relevant representations and to written questions, local impact reports, further information or requests for hearings are not received by the dates specified in the timetable, the ExA may disregard them.

If no written requests are received by the deadline of **Monday 13 January 2014** for open floor hearings or compulsory acquisition hearings the ExA is not required to hold any such hearings.

The time, date and place of any confirmed hearing will be notified in writing to all registered interested parties, providing at least 21 days notice.

Award of costs

Your attention is also drawn to the possibility of the award of costs against interested parties who behave unreasonably.

You should be aware of the guidance issued by the Department of Communities and Local Government (July 2013) entitled 'Award of costs: examinations of applications for development consent orders' that applies to National Infrastructure Projects. The guidance is available at the following link:

<https://www.gov.uk/government/publications/awards-of-costs-examinations-of-applications-for-development-consent-orders>

Future notifications

If you are an interested party you will continue to receive notifications from the Planning Inspectorate about the examination throughout the process.

If you have received this letter because you were invited to attend the Preliminary Meeting but you are not an interested party you will **not** receive any further communication from us relating to this application. You can, however, visit the relevant project page on the National Infrastructure pages of the Planning Portal website to stay informed of the progress of the examination of the application.

If you are a statutory consultee, or a Local Authority without direct responsibility in the proposed development area, who has not made a relevant representation but wishes to become an interested party, you should inform us by **20 January 2014**. **Statutory consultees who have not made a relevant representation and do not notify us of their wish to become an interested party will not receive any further correspondence.**

Yours faithfully

Robert Upton

Robert Upton
Lead Member of the Panel of Examining Inspectors

Annexes:

- A. Availability of representations and application documents
- B. Timetable for examination of the application
- C. Procedural decisions made after the preliminary meeting
- D. Abbreviations used in the examination

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.

Availability of relevant representations and application documents

On the National Infrastructure pages of the Planning Portal website at:
<http://infrastructure.planningportal.gov.uk/projects/yorkshire-and-the-humber/hornsea-offshore-wind-farm-zone-4-project-one/>

For inspection and copying:

Immingham Library

Pelham Road
 Immingham
 South Humberside
 DN40 1QF

Opening times:

Monday 9am – 5.30pm
 Tuesday 8.30am – 5.30pm
 Wednesday 8.30am – 5.30pm
 Thursday 9am – 5.30pm
 Friday 8.30am – 5.30pm
 Saturday 9am – 2pm
 Sunday – CLOSED

Copying charges:

Black & White A4 – 10p
 Colour A4 – 25p
 A3 not available

Louth Library

Northgate
 Louth
 Lincolnshire
 LN11 0LY

Opening times:

Monday 9am – 6pm
 Tuesday 9am – 6pm
 Wednesday 9am – 6pm
 Thursday 9am – 1pm
 Friday 9am – 7pm
 Saturday 9am – 4pm
 Sunday CLOSED

Copying charges:

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 Black & White A3 – 20p
 Colour A4 – 50p
 Colour A3 - £1

East Riding Mobile Library

Opening times: Please [click here](#) for locations and times.

Copying charges:

A3 not available
 Black & White A4 – 10p
 Colour A4 – 50p

Hull Central Library

Hull City Council
 Albion Street
 Hull
 East Riding of Yorkshire
 HU1 3TF

Opening times:

Monday 9.30am – 6pm
 Tuesday 9.30am – 7pm
 Wednesday 9.30am – 6pm
 Thursday 9.30am – 7pm
 Friday 9.30am – 5.30pm
 Saturday 10am – 4pm

Copying charges:

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 Black & white A3 -10p
 Colour A4 – 50p
 Colour A3 – 50p

Hedon Library

St Augustine Gate
 Hedon
 Hull
 HU12 8EX

Opening times:

Monday CLOSED
 Tuesday 9.30am – 7pm
 Wednesday 9.30am – 5pm
 Thursday 9.30am – 5pm
 Friday 9.30am – 7pm
 Saturday 9.30am – 12.30pm
 Sunday CLOSED

Copying charges:

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Timetable for examination of the application

Item	Matters	Due Dates
1	Preliminary Meeting	Tuesday 10 December 2013
2	Issue by ExA of: <ul style="list-style-type: none"> • Examination timetable • ExA first round of written questions 	Wednesday 18 December 2013
3	Deadline 1 <ul style="list-style-type: none"> • Notification of wish by an interested party to be heard at an open floor hearing • Notification by an affected person of wish for compulsory acquisition hearing to be held • Notification of wish to make oral representations at the issue-specific hearing on the draft Development Consent Order (DCO) 	Monday 13 January 2014
4	Deadline 2 Deadline for receipt of: <ul style="list-style-type: none"> • Comments on relevant representations (RRs) • Summaries of all RR's exceeding 1500 words • Written representations (WRs) by all interested parties • Summaries of all WRs exceeding 1500 words • Local Impact Report from any local authorities • Statements of Common Ground requested by ExA – see Annex G • Responses to ExA's first round of written questions • Completion by applicant of HRA matrices 	Monday 20 January 2014
5	Date reserved for open floor hearing	Tuesday 11 February 2014

6	Accompanied site visit	Wednesday 12 February 2014
7	First issue-specific hearing on draft DCO	Thursday 13 February 2014
8	<p>Deadline 3</p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> • Comments on WRs and responses to comments on RRs • Comments on Local Impact Reports • Comments on responses to ExA's first round of written questions • Revised draft DCO from applicant 	Monday 24 February 2014
9	<p>Dates for issue-specific hearings on:</p> <ul style="list-style-type: none"> • HRA - methodology and impacts on birds and marine mammals • Impacts on fishing and navigation • Construction impacts and socio-economic matters • Monitoring, management and mitigation plans and provisions 	<p>Tuesday 11 March 2014</p> <p>Wednesday 12 March 2014</p>
10	Dates reserved for compulsory acquisition hearing (including, if required, s127 of the Planning Act 2008 issues)	Thursday 13 March 2014
11	Date for issue of possible second round of written questions	Thursday 20 March 2014
12	<p>Deadline 4</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Responses to ExA's second round of written questions 	Tuesday 22 April 2014
13	<p>Dates reserved for:</p> <p>Any other issue-specific or compulsory acquisition hearings</p>	<p>Tuesday 29 April 2014</p> <p>Wednesday</p>

		30 April 2014 Thursday 1 May 2014
14	Date reserved for second accompanied site visit	Tuesday 13 May 2014
15	<p>Deadline 5</p> <p>Deadline for receipt of:</p> <ul style="list-style-type: none"> • Comments on responses to ExA's second round of written questions <p>And final deadline for:</p> <ul style="list-style-type: none"> • All documents post all hearings • All written proofs of oral cases 	Wednesday 14 May 2014
16	<p>Deadline 6</p> <p>Receipt of the applicant's final draft DCO</p>	Wednesday 21 May 2014
17	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	Tuesday 10 June 2014

Procedural decisions made after the Preliminary Meeting

Following the Preliminary Meeting, the ExA has made the following procedural decisions, which are reflected in the revised timetable.

1. The ExA confirms that issue-specific hearings will be held on HRA matters, fishing and navigation, construction impacts, socio-economic matters and monitoring, management and mitigation plans.

To ensure adequate time for notification of any requested open floor hearing, and a clash of hearings with the North Killingholme examination which requires the attendance of the same Local Authorities, a decision is now made to (a) introduce a new deadline ('Deadline 1') of 13 January 2014 for notification of a wish to be heard at an open floor hearing, a wish that a compulsory acquisition hearing should be held or a wish to speak at the issue-specific hearing on the draft Development Consent Order on 13 February; and (b) move the hearings back by one week. So hearings set out in the Rule 6 letter as taking place Tuesday 4 February – Thursday 6 February 2014 will now take place Tuesday 11 February – Thursday 13 February 2014.

2. As a consequence of this, Deadline 3 of the examination is also moved by one week. Therefore the date has changed from Monday 17 February 2014 to Monday 24 February 2014.

3. It was noted that Monday 21 April 2014 for Deadline 4 was in fact a Bank holiday and therefore this is now moved by one day to Tuesday 22 April 2014.

4. It has been decided that it would be sensible to add in an extra reserved day to those already present under serial 13: Any other issue specific or compulsory acquisition hearings. Thursday 1 May 2014 is now added.

Abbreviations used in the examination

AA	Appropriate Assessment
AC	Alternating Current
AM	Ancient Monument
AP	Affected Person
BAP	Biodiversity Action Plan
BDMPS	Biologically Defined Minimum Population Scales
BHS	British Horse Society
CA	Compulsory Acquisition
CCS	Continuous Circulation System
CIA	Cumulative Impact Assessment
CoCP	Code of Construction Practice
CRA	Collision Risk Assessment
CRM	Collision Risk Model
dB(A)	Decibel Auditory Threshold
DC	Direct Current
DCLG	Department for Communities and Local Government
DCO	Development Consent Order
DECC	Department of Energy and Climate Change
DML	Deemed Marine Licence
DWR	Deep Water Route
EA	Environment Agency
EAQ's	Examining Authority Questions
EH	English Heritage
EMF	Electromagnetic Fields
EMP	Ecological Management Plan
EPR	Examination Procedure Rules
ERCOP	Emergency Response Co-ordination Plan
ES	Environmental Statement
ExA	Examining Authority
HDD	Horizontal Directional Drilling
HGV	Heavy Goods Vehicle
HPA	Health Protection Agency
HRA	Habitat Regulation Assessment
HVAC	High Voltage Alternating Current
HVDC	High Voltage Direct Current
ICNIRP	International Commission on Non-Ionizing Radiation Protection
IDB	International Drainage Board
IFCA	Inshore Fisheries and Conservation Authority
ISH	Issue Specific Hearing
IP	Interested Party
JCP	Joint Cetacean Protocol
JNCC	Joint Nature Conservation Committee
LA	Local Authority
LAeq	Equivalent Continuous Sound Level (A-weighting setting)

LB	Listed Building
LBBG's	Lesser Black-backed Gulls
LDF	Local Development Framework
LEP	Local Economic Partnership
LIR	Local Impact Report
LPA	Local Planning Authority
MCA	Maritime and Coastguard Agency
MCZ	Marine Conservation Zone
MHWS	Mean High Water Springs
MMMP	Marine Mammal Mitigation Protocol
MMO	Marine Management Organisation
MoD	Ministry of Defence
MPS	Minerals Planning Statement
NE	Natural England
NPPF	National Planning Policy Framework
NPS	National Policy Statement
NPS EN-1	National Planning Policy Statement for Energy
NRA	Navigation Risk Assessment
NRIL	Network Rail Infrastructure Ltd
NT	National Trust
OFH	Open Floor Hearing
OFTO	Offshore Transmission Owner
OWF	Offshore Wind Farm
PA 2008	Planning Act 2008
PAM	Passive Acoustic Monitoring
PCH	Potential Collision Height
PCoD	Population Consequences of (Noise) Disturbance
PINS	Planning Inspectorate
pSPA	Proposed Special Protection Area
PVA	Population Viability Analysis
RA	Ramblers Association
RIES	Report of Implications on European Sites
RR	Relevant Representation
RSPB	Royal Society for the Protection of Birds
RYA	Royal Yachting Association
SAC	Special Area of Conservation
SNCB	Statutory Nature Conservation Body
SoCG	Statement of Common Ground
SEA	Strategic Environmental Assessment
SEI	Supplementary Environment Information
SofS	Secretary of State
SP	Statutory Party
SPA	Special Protection Area
SPL	Sound Pressure Level
SSSI	Sites of Special Scientific Interest
TCE	The Crown Estate
TSS	Transport Separation Scheme
UNEP	United National Environment Programme

UK BAP	UK Biodiversity Action Plan
UXO	Unexploded Ordnance
VERs	Valued Ecological Receptors
WR	Written Representation
WTG	Wind Turbine Generator



Infrastructure Correspondence FAQ

What is this correspondence about?

The accompanying letter contains information regarding a proposed Nationally Significant Infrastructure Project, often abbreviated as an NSIP, within your area. This type of development follows its own planning process with the Examining Authority, appointed to examine the application, being made up of between one and five Planning Inspectors rather than the local planning authority.

Further information on the specifics of the particular application described in the letter's header can be found on the National Infrastructure pages of the Planning Portal website.

Why am I receiving correspondence from the Planning Inspectorate?

When NSIP applications are accepted for examination by the Planning Inspectorate, correspondence is sent out to individuals and organisations classed as 'interested parties' together with statutory parties, and relevant local authorities.

If you have not registered with the Planning Inspectorate by completing a relevant representation form and are unsure why you are receiving our letters, you or your organisation may be automatically an interested party, for example by virtue of having an interest in land directly affected by the scheme, and having been notified of acceptance of the application by the developer.

What further details can you supply regarding affected land?

Details of land plots directly affected by the application are contained within the Book of Reference and shown on the accompanying Land Plans that are submitted with the application, but which may be subsequently amended. Both documents, including any amendments, can be found on the relevant project page of the National Infrastructure pages of the Planning Portal website, under the application documents header.

The Planning Inspectorate does not hold any further information, such as customer account numbers or mortgage details, for land plots or affected persons. If you require additional details not contained within the Book of Reference, or in other application documents, you may wish to contact the developer directly.

Do I have to do anything further in connection with this letter?

While we encourage engagement with the examination process, especially from those with an interest in land it directly affects, all participation is entirely optional.

Can I be removed from your mailing list?

Any interested party is able to notify the Examining Authority in writing that they no longer wish to be an interested party, although please consider carefully whether you want to have your interested party status removed. Please also note that anyone with an interest in land directly affected by an application whose interest the developer is seeking to compulsorily acquire will still retain their status as an affected person, and hence, amongst other things, will be able to call for a compulsory acquisition hearing to be held.

What if I have further questions?

The Planning Inspectorate's Advice Note 8 series, which can be found on the National Infrastructure pages of the Planning Portal website, contains a useful overview of the NSIP process and how to get more fully involved. You can also contact us as shown on your letter via the project's email address or by telephone on the Customer Services number.