

Application by Norfolk Vanguard Limited

Norfolk Vanguard Offshore Wind Farm

The Examining Authority's first written questions and requests for information

Issued on 19 December 2018

The following table sets out the Examining Authority's (ExA) first written questions and requests for information.

Column 2 of the table indicates **to whom questions are directed**. In no way does this preclude an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a **unique reference number** which combines a section number and a question number.

When you are answering a question, please start your answer by quoting the unique reference number.

If you are answering a limited number of questions, responses in a letter format will suffice. If you are answering several questions, it will assist the ExA if you use a table based on that used below. An editable version of this table, in Microsoft Word, is available on request from case team by emailing:

Abbreviations Used

AEOI	Adverse Effects on Integrity
ALC	Agricultural Land Classification
BC	Breckland Council
BDC	Broadland District Council
CA	Compulsory Acquisition
CIA	Cumulative Impacts Assessment
CoCP	Code of Construction Practice
CPRE	Campaign to Protect Rural England
CRM	Collision Risk Modelling
CRoW	Countryside and Rights of Way
dDCO	Draft Development Consent Order
DML	Deemed Marine License
EA	Environment Agency
EMF	Electromagnetic Field
ES	Environmental Statement
GVA	Gross value Added
HDD	Horizontal Directional Drilling
HE	Highways England
HGV	Heavy Goods Vehicles
HistE	Historic England
HRA	Habitats Regulations Assessment
HVDC	High Voltage Direct Current
LVIA	Landscape Visual Impact Assessment
MCA	Maritime and Coastguard Agency
MHWS	Mean High Water Springs
MMO	Marine Management Organisation
NCC	Norfolk County Council
NE	Natural England

NFU	National Farmers Union
NNDC	North Norfolk District Council
NPS	National Planning Statement
NSAG	Necton Substation Action Group
OLEMS	Outline Landscape and Ecological Management Strategy
OTMP	Outline Traffic Management Plan
PRoW	Public Right of Way
RNLI	Royal National Lifeboat Institution
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SoS	Secretary of State
SPA	Special Protection Area
TWT	The Wildlife Trusts
UXO	Unexploded Ordnance
WDC	Whale and Dolphin Conservation
ZTV	Zone of Theoretical Visibility

	Question to:	Question:
1.	General	
1.1	Applicant	Please confirm whether the additional material contained in the Change Report [AS-009] and Errata document [AS-010] falls within the parameters that have been assessed in the ES. If any of the proposed changes/corrections fall outside the assessed parameters, please highlight these and explain how they have been subject to further assessment and the results of that assessment. In the event that the changes are accepted please confirm how they would be secured in the dDCO, giving a clear indication of all consequential amendments to the dDCO.
1.2	Breckland Council, Broadland District Council, Norfolk County Council, North Norfolk District Council, Natural England (NE), Marine Management Organisation (MMO), Environment Agency, Historic England (HistE), Highways England (HE)	Please provide comments on any relevant information contained in the Change Report [AS-009] and Errata document [AS-010], and whether you agree with the conclusions reached by the Applicant. In the event that the amendments are accepted please indicate any consequential amendments which you require to the dDCO.
1.3	Applicant	Chapter 5, paragraph 289 of the Environmental Statement [APP-329] states that the temporary landfall compound shown in Figure 5.3 of the ES [APP-378] would be 60m long by 50m wide. However, Figure 5.3 [APP-378] depicts two indicative landfall compounds. Please clarify this.
1.4	Applicant	Please supply a full, up-to-date and unabridged copy of the Horlock Rules.

	Question to:	Question:
1.5	Applicant	Please comment upon the concerns raised by interested parties at the Open Floor Hearing (OFH) in relation to the deliverability of the project having regard to your commitment to use HVDC technology.
2.	Principle and nature of the development, including alternatives	
2.1	Applicant	Chapter 4 of the ES [APP-328] and the Strategic Approach to Selecting a Grid Connection Point document [AS-007]. Having regard to the Horlock Rules and NPS EN-1 paragraph 5.9.8, as well as the concerns expressed by Interested Parties in the RRs and at the OFH with regard to why Necton was chosen for the location of the proposed substation, could you provide further and more detailed information regarding the site selection process and the decisions taken within that process, with full justification for each decision.
2.2	Applicant	In Para 56 of [APP-071] (Consultation Report Appendix 9.8 Water Resources, Flood Risk, and Ground Conditions Outgoing Documents), it is noted that the Happisburgh South landfall site is the only landfall option which can accommodate 12 ducts. The requirement for 12 ducts appears to have been predicated upon the use of HVAC technology. When was the landfall site finally chosen and was the need to accommodate 12 ducts determinative in that decision? If it was before the decision to commit to HVDC technology please confirm whether or not the decision to choose Happisburgh for landfall was revisited and set out details of the decision making process.
2.3	Applicant	Please set out the full extent of the proposed 'enabling works' for Norfolk Boreas [APP-029], and confirm whether these have been fully assessed in the ES.

	Question to:	Question:
3.	Ecology offshore - ornithology	
3.1	NE and RSPB	Can you confirm that you are content that the baseline environment for ornithology along the offshore cable corridor has been sufficiently well informed and has been characterised correctly?
3.2	NE	Based on the 'Rochdale envelope' parameters for the project that the Applicant has stated, can you confirm whether in your view the methodology used in the modelling assesses the worst case collision risk?
3.3	Applicant, NE and RSPB	<p>Can an update be provided on the progress that has been made since NE's RR [RR-106] and RSPB's RR [RR-197] in resolving the outstanding areas of disagreement regarding the following offshore ornithology matters for Norfolk Vanguard alone and in-combination, and in particular in regard to the following matters:</p> <p>(a) The use of potential biological removal (PBR) versus population viability analysis (PVA) modelling;</p> <p>(b) The mean peak seasonal abundances for red-throated diver that have been used in the operational displacement assessments and matrices in Tables 13.27 to 13.29 of ES Chapter 13 [APP-337];</p> <p>(c) The displacement and mortality rate levels that have been used for red-throated diver;</p>

	Question to:	Question:
		<p>(d) The use of the Applicant's own stochastic collision modelling (CRM) rather than that advocated by the RSPB and NE (ie the Marine Scotland Science Model, MacGregor <i>et al</i> 2018);</p> <p>(e) As requested by NE, please can the Applicant please provide the CRM input data that it has used in its own stochastic CRM, including the R code;</p> <p>(f) The use of median bird densities within the CRM, and the overall derivation of bird densities used in the CRM;</p> <p>(g) The Nocturnal Activity Factor that has been used in the CRM;</p> <p>(h) Can the Applicant explain its reasoning for using displacement assessments for Norfolk Vanguard East using birds in flight and birds on the water, but only birds on the water for Norfolk Vanguard West, and clarify whether any corrections if made would be likely to alter the conclusions reached;</p> <p>(i) The differences between the deterministic model and the Applicant's model in terms of collision mortality;</p> <p>(j) The apportioning of mortality to SPAs;</p> <p>(k) Having regard to the evidence from Cleasby <i>et al</i> (2015) that the RSPB has cited, the appropriateness of the gannet avoidance rate in regard to the breeding season;</p>

	Question to:	Question:
		(l) The kittiwake tracking data, including the availability of the RSPB data; (m) The effectiveness of predator management at the Alde-Ore Estuary SPA as a mitigation measure in regard to lesser black-backed gull.
3.4	Applicant	Can you please provide an assessment of the significance of disturbance and displacement effects to red-throated diver within a 4km buffer and with a range of displacement rates up to 100% and mortality rates of up to 10%.
3.5	Applicant	In its RR [RR-106] NE has stated that the population data of red-throated diver pre-dates installations of some wind farms. Therefore please can you provide bird abundance estimates that are summed for each applicable offshore wind farm and inserted into a displacement matrix with 100% displacement and 10% mortality.
3.6	RSPB	Can you clarify what information you consider is required to rule out cumulative operational displacement to North Sea populations of red-throated diver.
3.7	Applicant	Please comment on how the results of the collision risk assessment for seabirds would be altered should the mean density values be used.
3.8	Applicant	In relation to NE's RR [RR-106], and having regard to the non-stochastic model, please can you provide the full set of input parameters in order to be able to run the Band (2012) spreadsheets, including the multiple tables of non-stochastic outputs where each parameter in turn is varied.
3.9	Applicant	Can you please explain why you have used different displacement rates and

	Question to:	Question:
		mortality rates for the displacement of auks for the project alone and cumulatively.
3.10	Applicant	Can you comment on how the results of the cumulative displacement assessment for auks would be altered should the same displacement and mortality rates be used as for the project alone.
3.11	Applicant	Can you comment on how the results of the assessment of displacement to gannet would be altered should an adult annual survival rate of 0.912 be used.
3.12	RSPB	Please set out what information you consider is required to enable cumulative operational displacement to North Sea populations of auks (guillemot, razorbill and puffins) to be ruled out?
3.13	NE	In reference to the errors that you have noted in your RR [RR-106] in regard to Tables 13.69 and 13.71 of the ES [APP-337], please confirm that these have now been corrected in the revised assessment that has been submitted by the Applicant.
3.14	Applicant	NE notes in its RR [RR-106] that the figures presented within the ES for gannet at Neart na Gaoithe Offshore Wind Farm differ from those presented for EA THREE in terms of being lower. Can you please explain this apparent discrepancy?
3.15	RSPB	Can you please explain what information is required to rule out cumulative collision mortality to North Sea populations of kittiwake and great black-backed gull?

	Question to:	Question:
3.16	NE and Applicant	Can you confirm for which species of non-seabird migrants you consider cumulative CRM is required?
3.17	Applicant	Can you comment on the need for cumulative CRM for non-seabird migrants?
3.18	Applicant or RSPB or NE	Please provide the following papers that have been referred to in either the ES, NE's RR [RR-106] or RSPB's RR [RR-197]: Cleasby <i>et al</i> (2015), Furness (2015), Furness <i>et al</i> (2013), Furness <i>et al</i> (2018), Garthe <i>et al</i> (2004), Green <i>et al</i> (2016), MacGregor <i>et al</i> (2018), O'Brien <i>et al</i> (2017), Wade <i>et al</i> (2016).
4.	Ecology offshore – marine mammals	
4.1	Applicant	Please respond to NE's statement in its RR [RR-106] that recent studies have indicated that soft start piling is not significantly less than the noise generated at maximum hammer energy, and that therefore it may no longer be an effective method of mitigating the impact of piling activities.
4.2	Applicant	Please comment on the revisions to condition 19(3) of Schedules 10 and 11 of the dDCO that NE and the MMO have recommended [RR-106 and RR-186 respectively].
4.3	Applicant	In its RR [RR-013] WDC has recommended that no pile driving at all takes place during the offshore construction operations. Please comment on what such a restriction would mean on the construction operations and the overall design and viability of the project.
4.4	Applicant	Please provide evidence of the measures that would be put in place to ensure that no more than two concurrent piling events would take place, and set out

	Question to:	Question:
		how this would be secured in the dDCO.
4.5	Applicant	Table 8.9 of the Information for the Habitats Regulations Assessment [APP-045] indicates worst case scenarios for hammer energies of 2,700 kJ for a 9MW to 20MW pin pile structure and 5,000 kJ for a monopile structure. However, these are not specified within the dDCO/DMLs. Please comment on this omission.
4.6	Applicant	Please respond to the comments made in the RR's of WDC [RR-013] and TWT [RR-172] in regard to noise limits for construction activities within the marine environment.
4.7	Applicant	Please comment on the opinion of NE [RR-106] that a Marine Mammal Mitigation Plan would not remove the risk of disturbance to marine mammals.
5.	Ecology offshore – other	
5.1	Applicant	Please clarify the uncertainty regarding the dredge corridor that is specified in Appendix 7.1 ABPmer Sandwave Study [APP-048] which NE has referred to in its RR [RR-106]
5.2	Applicant	Please justify your assertion in Appendix 7.1 [APP-048] that there is no difference in deposition following surface or near bed release of disposal material.
5.3	Applicant	Please set out your methodology for ascertaining whether one dredge spoil disposal zone will be sufficient or whether multiple zones will be needed, and set

	Question to:	Question:
		out how this is to be secured in the dDCO.
5.4	Applicant	Please respond to NE's concerns in its RR [RR-106] regarding your assessment in Tables 8.21, 8.22 and 8.29 of Chapter 8 of the ES [APP-332] for the Near-field effects being classified as 'low' in scale.
5.5	Applicant	Paragraph 144 of Chapter 10 of the ES [APP-334] identifies seven out-of-service cables in the offshore cable corridor. Please set out the measures that would be taken should agreement to cross these cables not be agreed with the cable owners, and please respond to NE's view that all of these out-of-service cables should be cut rather than being covered.
5.6	Applicant and NE	Chapter 10 of the ES [APP-334] states that cable would be micro-sited through areas of <i>Sabellaria spinulosa</i> reef, where possible. Please comment on the effectiveness of this micro-siting technique as a mitigation measure.
5.7	Applicant	Please set out your methodology and criteria for assessing the type of cable protection that is to be selected.
5.8	Applicant	Please account for NE's assertion that paragraph 159 of Chapter 10 of the ES [APP-334] does not account for cable repairs for stretches that are under any of the cable protection options.
5.9	Applicant	Chapter 8, paragraph 169, of the ES [APP-332], provides a contingency estimate of 20 km of cable protection within the whole offshore cable corridor, of which 8km of cable would be within the Haisborough, Hammond and Winterton SAC (HHW SAC), being required due to cable burial not being possible to achieve. Please comment on the view expressed in NE's RR [RR-106] in regard to the

	Question to:	Question:
		<p>following matters:</p> <p>(a) cable protection should not be permitted within the HHW SAC unless a method can be found that does not lead to habitat loss;</p> <p>(b) a justification of why the amount of cable protection proposed is realistic;</p> <p>(c) an estimation of the amount of cable protection to be used for each benthic habitat type;</p> <p>(d) an analysis of the types of cable protection to be used on each benthic habitat type and an assessment of the impacts on each feature in terms of habitat loss or change, increase in suspended sediment/siltation and the interruption to physical transport processes;</p> <p>(e) an assessment of the likelihood and associated impacts of secondary scouring around cable protection;</p> <p>(f) an estimate of the likelihood of exceeding the proposed amount of cable protection, with an assessment of any impacts that may arise as a result.</p>
5.10	Applicant	Please comment on NE's disagreement in its RR [RR-106] with your finding in paragraph 278 of Chapter 8 of the ES [APP-332] of a negligible impact for the Haisborough, Hammond and Winterton SAC.
5.11	Applicant	Please can you confirm that the figures you have quoted in paragraph 387 of ES Chapter 8 [APP-332] are correct.

	Question to:	Question:
5.12	Applicant	Please comment on NE's contention in its RR [RR-106] that as cable protection has not been assessed for cable repairs or reburial, no such cable protection in this regard should be permitted to take place.
5.13	Applicant	In light of NE's comments in its RR [RR-106], please comment on how you consider the Scour Protection and Cable Prevention Plan should be updated to take account of any additional requirements post-consent once the project parameters are more clearly defined, and how this would be secured in the dDCO.
5.14	Applicant	Please explain how you have arrived at a worst case scenario of cable protection/scour prevention being required for 10% of the export cable, array and interconnector cables.
5.15	Applicant	Having regard to the variable spatial and temporal distribution of <i>Sabellaria spinulosa</i> reef, please clarify the methodological approach you have used with regard to mapping <i>Sabellaria spinulosa</i> as opposed to the methods as described in Limpenny <i>et al</i> 2010, that NE has referred to in its RR [RR-106].
5.16	Applicant	Please clarify whether NE's query regarding the extent of <i>Sabellaria spinulosa</i> at the time of the pre-construction surveys and its view that <i>Sabellaria spinulosa</i> has a medium sensitivity to heavy smothering would alter the conclusions you have reached.
5.17	Applicant	Please explain why you have not considered the potential effects on <i>Sabellaria spinulosa</i> due to cable repairs.
5.18	Applicant	Please address the comments made by NE in its RR [RR-106] that a single

	Question to:	Question:
		ground truthing sample, compared to a map, is not sufficient to determine whether an area will support <i>Sabellaria spinulosa</i> reef in the future.
5.19	Applicant	Having regard to the Gubbay criteria, please explain why areas with 'low reefiness' have been mapped as sediment rather than reef.
5.20	Applicant	Please respond to the issues NE has raised in its RR [RR-106] in relation to the datasets and maps that are described in Section 2.7 of Appendix 7.2 Sabellaria reef mapping [APP-049].
5.21	Applicant	Please confirm whether the sensitivity definitions in Table 10.3 of ES Chapter 10 [APP-334] are taken from Marlin sensitivity or are bespoke for the ES.
5.22	Applicant	Comment on NE's view [RR-106] that the boulder clearance figure cited in Table 10.21 of ES Chapter 10 [APP-334] does not take account of disturbance elsewhere arising from the placement of cleared boulders.
5.23	Applicant	Please justify why you consider the 11% figure as quoted in paragraph 317 of ES Chapter 10 [APP-334] would give rise to a low impact magnitude.
6.	Construction - offshore	
6.1	Applicant	Part 3, 1(d) of Schedules 11 and 12 of the dDCO for Norfolk Vanguard refers to the disposal of up to 39,732,566m ³ of inert material of natural origin within the offshore Order limits. Please explain any significant differences between this figure and the corresponding figures proposed for other similar offshore windfarm projects that have either been consented or are currently proceeding through the examination process. For example, the made DCO for East Anglia THREE, Part 1, 2(d) of Schedules 10 and 11 respectively, refers to the disposal of

	Question to:	Question:
		a total of 1,646,347m ³ of inert material of natural origin.
6.2	Applicant	Requirement 4 of the dDCO proposes a 400km length for the export cable and an associated 119,836m ³ of cable protection. Please explain any significant differences between this figure and the corresponding figures proposed for other similar offshore windfarm projects that have either been consented or are currently proceeding through the examination process.
6.3	Applicant	Condition 8(1)(g) of the DMLs contained in both Schedules 9 and 10 of the dDCO [APP-005] refers to 53,198,398m ³ of scour protection for the WTGs, accommodation platform, meteorological masts and measurement buoys. Please explain any significant differences between this figure and the corresponding figures proposed for other similar offshore windfarm projects that have either been consented or are currently proceeding through the examination process.
6.4	Applicant	Condition 8(1)(h) of the DMLs contained in both Schedules 9 and 10 of the dDCO [APP-005] states that the total amount of inert material of natural origin disposed within the offshore Order limits as part of the authorised scheme must not exceed 39,732,566.73m ³ . In addition, Condition 3(1)(c) of the DMLs contained in Schedules 11 and 12 of the dDCO states that the total amount of inert material of natural origin disposed of within the offshore Order limits as part of the authorised scheme must not exceed 11,475,000m ³ . Therefore please confirm whether the maximum amount of inert material of natural origin that could be disposed of within the entire offshore Order limits would be a combination of these two figures, ie a maximum of 51,207,566.73m ³ .
6.5	Applicant and MMO	Please set out the methodology for calculating the amount of inert material of natural origin that is to be disposed within the offshore Order limits, the

	Question to:	Question:
		measures to monitor this disposal, and how this is to be secured in the dDCO.
6.6	Applicant	Please comment on the concern raised by NE in its RR [RR-106] that some of the volumes and figures presented in the dDCO are not always represented in the ES project description and please provide evidence to demonstrate that the figures as presented in the dDCO have been fully considered.
6.7	Applicant	Please comment on NE's request to be named as a formal consultee in regard to the design plan that is referenced in Condition 14(1)(a) of the DMLs contained in Schedules 9 and 10 of the dDCO.
6.8	Applicant	In relation to Condition 14 of the DMLs contained in Schedules 9 and 10 of the dDCO [APP-005] please comment on NE's request in its RR [RR-106] for the pre-construction monitoring to be agreed more than 4 months prior to the first survey, and for a discussion on monitoring timelines to take place.
6.9	Applicant	Can you clarify whether a separate marine licence would be required for UXO clearance, and the mechanism through which the production of a MMMP for UXO clearance would be secured in the dDCO.
6.10	Applicant	Please respond to NE's contention in its RR [RR-106] that it is not possible to mitigate against the effects of the largest UXOs, and that you will therefore need to identify appropriate mitigation in order to rely on your assessment.
6.11	Applicant	Please clarify whether the figures given in paragraph 225 of ES Chapter 5 [APP-329] represent a worst-case estimate of cable that it would not be able to bury at the construction stage, or cable that would become unburied at some time of the project and thus would require protection. Explain how the figures cited in

	Question to:	Question:
		paragraph 225 relate to those contained in paragraph 21 and Table 2 of the Outline Scour Protection and Cable Protection Plan [APP-040].
6.12	MMO and NE	Do you agree with the contingency estimate of 10% of the total cabling for unburied cables that the Applicant has applied?
7.	Offshore archaeology and cultural heritage	
7.1	Applicant	In your Outline Written Scheme of Investigation (Offshore) (OWSI Offshore) [APP-030] you state that the final Offshore WSI would be reviewed and updated as necessary prior to the construction based on the final design of the project. Please clarify how this is to be secured in the final OWSI and the dDCO?
7.2	Applicant	Please clarify what you mean by the 'statutory historic body' in the OWSI Offshore [APP-030], as this is not defined in the dDCO.
7.3	Applicant	Please clarify whether the 'written scheme of archaeological investigation' that is referred to in Condition 14 of Schedules 9 and 10 and condition 9 of Schedules 11 and 12 is the same as the 'final Offshore WSI' that is referenced in the Outline WSI Offshore [APP-030].
7.4	MMO and Historic England	Are you content that the requirement to submit a 'written scheme of archaeological investigation' four months prior to commencement of licensed activities would provide a sufficient amount of time to review and approve the proposed arrangements?
7.5	MMO and Historic England	Are you satisfied with the proposed 50m archaeological exclusion zone around A1 sites and magnetic only anomalies?
8.	Fishing and navigation	
8.1	Applicant	Please comment on the view expressed by the Royal Yachting Association in its RR [RR-019] in which it does not consider there to be a need for safety zones

	Question to:	Question:
		during the operational stage of a wind farm development.
8.2	Royal Yachting Association	Please provide further justification for your view in your RR [RR-019] regarding the need for safety zones during the operational stages of a wind farm development.
8.3	Applicant	Please advise on the progress of a SoCG with the National Federation of Fishermen's Organisations that is referred to in its RR [RR-051].
8.4	Maritime and Coastguard Agency	In relation to the need for lighting and marking arrangements, are your concerns satisfied with the wording of the 'aids to navigation' condition 10 of Schedules 9 and 10 and condition 5 of Schedules 11 and 12 of the dDCO [APP-005]?
8.5	Applicant	Should floating turbines be used please state how agreement would be reached regarding the exact details of the associated mooring arrangements, including but not limited to the anchor and line spread, monitoring arrangements during construction and operation, recovery of turbines and Third Party Verification, and set out how this is to be secured in the dDCO.
8.6	Applicant	Please comment on the MCA's request in its RR [RR-187] for an agreed set of design principles to be incorporated into the DCO.
8.7	Applicant, MMO, MCA and Trinity House	Condition 14(1)(a) of the DMLs contained in Schedules 9 and 10 and Condition 9(1)(a) of the DMLs contained in Schedules 11 and 12 inclusive of the dDCO [APP-005] refers to the MMO, in consultation with Trinity House and the MCA, agreeing a design plan. Are you content with the arbitration procedures in this regard as set out in Article 38 and Schedule 14 of the dDCO?
9.	Marine geology, oceanography and physical processes, marine water and sediment	

	Question to:	Question:
	quality	
9.1	Applicant	In light of concerns raised at the Open Floor Hearing, please comment on the robustness of the coastal erosion predictions for the Happisburgh area. Please clarify whether you have used the most up to date information regarding the current rates of coastal erosion, and if not then please provide such information, if available.
9.2	Applicant	North Norfolk District Council [RR-258] commented that there has been a significant loss of cliff in recent years for this part of the coast. Therefore please set out how you have considered how the project could contribute towards, or be affected by, coastal change.
9.3	Applicant	Please comment on the view expressed by Natural England [RR-106] that the best practice would be to deposit any dredged material immediately upstream of where it is removed, and that material from the offshore cable site should be deposited in that area rather than being removed. Would there be any implications for the conclusions reached in the ES if this approach was taken?
10.	Construction - onshore	
10.1	Applicant	<p>A number of concerns have been raised by interested parties regarding light pollution during the construction phase and during periods of maintenance.</p> <p>Could the applicant provide details of proposed lighting during the construction phase and that required during maintenance periods. What impact would this have on local residents and how would this be mitigated and secured within the</p>

	Question to:	Question:
		dDCO?
11.	Traffic, transport and highway safety	
	General methodological questions	
11.1	Norfolk County Council All District Councils Highways England	<p>(i) Do you agree with the methodology, baseline data, assumptions and predicted traffic movements used to assess traffic and transport impacts in Chapter 24 of the ES [APP-348]?</p> <p>(ii) Are you content with all mitigation and management measures set out in the Outline Traffic Management Plan [APP-032], the Outline Access Management Plan [APP-034], the Outline Travel Plan [APP-033] and the Outline Code of Construction Practice [APP-025]?</p> <p>(iii) Please identify any outstanding issues.</p> <p>(iv) Please indicate where a single HGV movement is defined or provide a definition of a single HGV movement.</p>
11.2	Norfolk County Council All District Councils Highways England	<p>(i) Are the existing traffic flows in ES chapter 24 table 24.8 agreed?</p> <p>(ii) Are the link-based sensitivity receptors in table 24.9 agreed?</p>
11.3	Applicant	<p>Table 24.21 of the ES sets out existing and proposed daily traffic flows over the 79 links identified.</p> <p>(i) It is noted that the worst case scenario assumes that all employee trips would overlap with the network peak hour. For each of the 'sensitive' links please provide an estimate of how vehicle movements would be spread</p>

	Question to:	Question:
		<p>throughout the day.</p> <p>(ii) What measures (for example relating to the timing of works and routing) could be introduced to minimise impacts from HGV movements during the peak tourist season? Particular reference should be made to Happisburgh Beach and the Blickling estate.</p>
11.4	Applicant	<p>ES Chapter 24.7.2.2.1 [APP-348] and appendix 24.7 [APP-262] refer to the disaggregation of traffic demand from components of the onshore project area. This appears to relate to the 20 onshore cable route sections. Please confirm how HGV movements (as distinct from employee movements) associated with the construction of the substation and substation extension works are taken into account in reaching your findings.</p>
11.5	Applicant	<p>(i) ES 24.7.7.1 tables 24.26, 24.30, 24.32: please confirm what the figures for peak construction vehicle deliveries and peak construction vehicle movements relate to, ie are they HGV only movements or do they include all construction traffic?</p> <p>(ii) The HGV traffic movements in ES Chapter 24 table 24.21 have been disaggregated into the 3 component parts of infrastructure development in table 24.25. Please explain how the figure of 240 vehicle movements in table 24.25 has been disaggregated to 96, 144 and 144 for the three elements.</p> <p>(iii) Would a sequential approach to development of the 3 elements in Table 24.25 effectively increase the total number of movements for the 3 elements?</p>

	Question to:	Question:
	Other projects	
11.6	Highways England	<p>ES 24.7.7.3.3</p> <p>(i) What is the current position (and likely timescale) of the A47 corridor improvement works? It is noted that it was anticipated that a DCO application would be submitted in summer 2018 (ES24.8.1.3, paragraph 388).</p> <p>(ii) The A47 improvement works are outside the Applicant's control. If they do not take place, or are significantly delayed beyond the construction period for this project, what do you consider the impacts would be on the various receptors?</p>
11.7	Highways England	<p>(i) With regard to the road improvement scheme involving dualling of the A47 south of Lingwood Lane junction and the construction of a new junction at the B1140 what are the implications of the increased construction traffic on link 5?</p> <p>(ii) Would the provision of a 'Queuing Ahead' sign be sufficient mitigation in relation to the potential for construction traffic to escalate the identified pattern of rear end shunts at the A47/B1140 junction?</p>
11.8	Applicant	Please provide a plan depicting the extent of the A47 road improvement scheme including its 6 component parts as detailed at ES 24.6.1.1, paragraph 82.
11.9	Highways England	<p>ES 24.7.7.3.7</p> <p>Does the recently completed North Norfolk Distributor Road alleviate traffic congestion and problems at the A140/B1149 roundabout junction to the extent that a 147.5% increase in HGV traffic along links 36, 38 and 39 would not have a material effect upon highway safety and/or congestion?</p>

	Question to:	Question:
11.10	Applicant/Orsted/Norfolk County Council/Other Councils	<p>ES 24.8.1 and paragraph 385 Cumulative Impacts during construction</p> <p>(i) The Hornsea Project Three study area was divided into 183 highway links and 34 onshore cable route sections. The maximum HGV traffic demand has been presented for each of the 34 sections but the Hornsea Project Three Preliminary Environmental Information Report (PEIR) did not include an assignment of daily HGV movements to the 183 highway links.</p> <p>(ii) Is the necessary data now available for the Applicant to undertake a full cumulative impact assessment of both projects?</p>
11.11	Applicant/Orsted/Norfolk County Council/Other Councils	<p>The on-shore cable route would cross with the proposed Hornsea Project Three cable route to the north of Reepham.</p> <p>(i) Please provide an assessment of the potential traffic and highway impacts arising from the simultaneous construction of both projects in the same vicinity and outline any measures which may be required to mitigate any impacts.</p> <p>(ii) Would it be possible to secure appropriate sequencing of construction activities? If so, how could this be achieved in the dDCO?</p>
11.12	Applicant	<p>The written representations of Broadland District Council [RR-175] and Oulton Parish Council [RR-141] note that the Hornsea Three project main compound is to be located on the former airfield east of Oulton and the Norfolk Vanguard project has 2 construction compounds planned in Oulton which would utilise the same access road (B1149/The Street).</p> <p>What are the traffic implications of these arrangements and have the cumulative</p>

	Question to:	Question:
		impacts of all three compounds been assessed? In particular Oulton Parish Council contends that the Applicant has used Hornsea Three PEIR documents to assess cumulative impacts but the main compound did not appear in those PEIR documents.
11.13	Applicant	Oulton Parish Council notes that Hornsea Three are using horizontal direct drilling techniques to cross the B1149 but Norfolk Vanguard does not proposed to utilise such techniques. Is this correct? If so what is the justification for this and what are the potential implications?
	Impacts	
11.14	Highways England	ES 24.7.7.3.8 Would the mitigation measures proposed by way of enhanced Traffic Management Plan measures to increase driver awareness be sufficient to mitigate the impact of development traffic in the form of a projected HGV increase of up to 50% along link 64?
11.15	Applicant/Norfolk County Council and other relevant District and Parish Councils	ES 24.7.7 details severance as one of the potential impacts. Link 69 (Little London Road) is identified as being susceptible to severance. It is noted that this is a narrow lane lined with no footway and fronted by private residences. The background flow rates indicate some 22 HGV movements per day projected to increase to a peak daily flow of 240 HGV movements, which after mitigation would reduce to some 48 movements of smaller 10 tonne vehicles. How can the living conditions of adjoining residents be protected during the construction period?

	Question to:	Question:
11.16	Applicant	Cawston Parish Council [RR-098] has expressed concerns about the impact of HGV movements through Cawston and its impact on residential properties adjacent to the B1145. Please explain the nature and likely duration of potential impacts and any proposed mitigation measures.
11.17	District and Parish Councils	<p>(i) ES chapter 25, table 24.27: this table sets out an assessment of the effect of HGV flow increase on pedestrian amenity. Do you agree with the assessments which have been made?</p> <p>(ii) Some links are assessed as having potentially significant adverse pedestrian amenity impacts and enhanced Traffic Management Plan measures are suggested to mitigate these impacts. Are you satisfied that the suggested measures would be effective? If not, then please explain why?</p>
11.18	Norfolk County Council	<p>ES 24.7.7.3.9 and A47 Access Technical Note</p> <p>Your relevant representation refers to a holding objection to include the main compound site.</p> <p>(i) Is this holding objection still in place?</p> <p>(ii) What is your position having regard to the proposed access options to the main compound set out in the technical note.</p>
11.19	Highways England/Norfolk County Council, the District Councils and Parish Councils	<p>ES 24.7.7.3.9 and A47 Access Technical Note</p> <p>(i) What are the implications of leaving confirmation of the onshore project substation access to post-consent consultations on the Outline AMP?</p> <p>(ii) Do you have a preference for option A, A1 or B in highway terms and if so, why?</p>

	Question to:	Question:
11.20	Applicant	<p>Appendix 24.21 A47 Access Technical Note</p> <p>The different access options have differing environmental effects.</p> <p>(i) Access A does not require any significant vegetation clearance whereas A1 requires the removal of 772m² of vegetation to allow for widening of the A47 and additional visibility splays. To what extent have these matters been taken into account in the LVIA and ecological effects assessments?</p> <p>(ii) Access A does however require a commitment to employ a 'no right turn traffic management strategy' which would entail 79 HGVs undertaking a diversion route totalling some 15.5 miles. Have the additional vehicle movements along the diverted route been taken into account in the impact assessment on the relevant highway links? If not, please provide an updated assessment including these movements.</p>
11.21	Norfolk County Council	<p>Your representation makes reference to ensuring that the underground cable route does not fetter any future highway improvement schemes on the A47 trunk road. Having seen the onshore cable route, what is your current position on this matter?</p>
11.22	Applicant/RNLI	<p>A member of the public has written to confirm that Cart Gap Road in Happisburgh is unsuitable for HGV vehicles and the ramp is used for RNLI lifeboats.</p> <p>(i) What information do you have on this matter?</p> <p>(ii) What provisions are in place to ensure emergency access will remain undisturbed for RNLI rescue and other activities?</p>
11.23	Applicant	<p>Can you confirm that the proposed HGV routes do not pass through the Norfolk</p>

	Question to:	Question:
		Coast Area of Outstanding Natural Beauty?
11.24	Applicant	The impact assessments look at individual links/sections/highways. The landfall site would be in Happisburgh with a compound. One Interested Party contends that the outline traffic management plan confirms that all but one of the roads in the village would be affected. Please set out the combined impacts on Happisburgh road network as a whole, considering the impacts on the individual links in combination.
	Other elements	
11.25	Applicant	What is the purpose of the 'Cable Logistics Areas'? Where would they be and how would they be used?
11.26	Applicant	The use of a running track is intended to reduce the impact of construction traffic on the public highway. How would this be secured in the dDCO?
11.27	Applicant	How would the mobilisation areas operate? What materials would be stored and what activities would take place within these areas?
11.28	Applicant	<p>Document 8.8. Outline Traffic Management Plan (OTMP):</p> <p>(i) Please confirm the implications, in traffic terms, landscape and visual impact terms and ecological terms, of retaining some 20% of the running track of the total onshore cable route to enable cable pull and jointing works.</p> <p>(ii) Given that 75 potential access points have been identified (table 1.3 of the OTMP), are the lengths of running track to be retained known?</p> <p>(iii) How would reinstatement be achieved and secured post commissioning</p>

	Question to:	Question:
		works?
11.29	Applicant	(i) When is it anticipated that the mobilisation areas would be de-commissioned? (ii) Would they be required for cable pull-through and jointing?
11.30	Applicant/Norfolk County Council and all other District and Parish Councils	It is anticipated that all cable pull and jointing activities would be concentrated in a single year 2024. Such activities generate less traffic than duct installation activities and therefore the assessment has concentrated on the worst case scenario. Are there any potential implications for the traffic generation associated with such activities and other projects in the pipeline in terms of cumulative impacts?
11.31	Applicant/ Norfolk County Council and all other Councils	(i) OTMP: How could delivery times be more tightly controlled in residential areas/near schools/to ensure deliveries outside peak times and to protect residential amenity? (ii) OTMP: How would the recommended arrangements for the transport of Abnormal Indivisible Loads detailed in the Route Access Report (Appendix 2 OTMP) be secured and controlled?
11.32	Applicant/Relevant Councils	ES24.7.5: Embedded mitigation: this section provides that the Applicant has agreed not to use the beach car park at Happisburgh South. How would this be enforced and monitored?

	Question to:	Question:
12.	Air quality and human health	
12.1	NCC, NNDC, BC and BDC	Do you agree with the methodology and baseline data used to assess the potential impacts of dust and road traffic emissions in ES Chapter 26 [APP-350]?
12.2	Applicant, NCC, NNDC, BC and BDC	<p>The Applicant and Councils will appreciate that the UK Government has come under considerable recent judicial scrutiny over the question of the implementation of and compliance with the Air Quality Directive.</p> <p>Please can you set out your understanding of the current legal position with regard to complying with the Air Quality Directive, particularly in light of the judgement <i>R (Client Earth (No 3)) v (1) Secretary of State for Environment, Food And Rural Affairs (2) The Secretary of State for Transport and (3) Welsh Ministers [2018] EWHC 315 (Admin)</i>, and explain its relevance to this application.</p>
12.3	NCC, NNDC, BC and BDC	Do you have any concerns with regard to the proposed air quality mitigation measures set out within section 26.6.6 of ES Chapter 26 [APP-350] and the proposed control measures set out within Section 10.1 of the Outline CoCP [APP-025]
12.4	BC	<p>Section 26.6.1 of ES Chapter 26 [APP-350] states that as the Swaffham Air Quality Management Area (AQMA) is approximately 1km south of the A47 it is not anticipated that there would be any significant increases in pollutant concentrations within the AQMA.</p> <p>Do you agree with this assessment and, if not, please explain why?</p>
12.5	Applicant	Section 26.8.1 of ES Chapter 26 [APP-350] states that it is not anticipated that any of the projects considered in the Cumulative Impact Assessment would lead

	Question to:	Question:
		<p>to a cumulative impact in conjunction with the project, with the exception of Hornsea Project Three Offshore Wind Farm. The magnitude of impacts associated with Hornsea Project Three was not known at the time of writing.</p> <p>Is the necessary information now available to undertake a full cumulative impact assessment of both projects? If so, please provide this.</p> <p>Oulton Parish Council are concerned that there is a lack of information on the cumulative impact on the residents of Oulton. Please explain what the nature and likely cumulative impacts would be and any proposed mitigation.</p>
12.6	Applicant	Can you please set out how residual effects of dust emissions are to be monitored and how would this be mitigated?
12.7	Applicant	<p>Concerns have been raised by a number of interested parties regarding the health impacts of EMFs arising from the apparatus. Section 27.6.5.2 of ES Chapter 27 [APP-351] states that EMF effects have been analysed by the National Grid on behalf of Norfolk Vanguard Limited.</p> <p>Could the applicant please provide a copy of this document?</p>
12.8	NCC, NNDC, BC and BDC	Section 27.6.5.2 of ES chapter 27 [APP-351] states that EMFs produced are compliant with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and NPS EN-5 public exposure guidelines and that no mitigation measures for the cable design and crossing point with Hornsea Project Three cables are needed.

	Question to:	Question:
		Do you have any concerns with regard to these conclusions?
12.9	Applicant	<p>A number of concerns have been raised by interested parties regarding the possible health risk of radioactive substances in connection with the 1996 F16 plane crash within the selected cable run route.</p> <p>What course of action does the applicant intend with regard to this potential issue?</p>
13.	Noise and vibration	
13.1	Applicant, NCC, NNDC, BC, BDC	<p>The World Health Organisation (WHO) Environmental Noise Guidelines for the European Region 2018 updates and supersedes the WHO Guidelines for Community Noise 1999.</p> <p>In light of the above, does the noise modelling within ES Chapter 25 [APP-349] need to be reviewed?</p> <p>If this is the case, please can the applicant provide an updated assessment.</p>
13.2	NCC, NNDC, BC, BDC	Do you agree with the methodology within the noise and vibration assessment in ES Chapter 25 [APP-349] including the baseline monitoring and identified noise and vibration receptors?
13.3	NCC, NNDC, BC, BDC	Please comment on the proposed mitigation measures within ES Chapter 25 [APP-349] and the control measures set out in Section 9 of the Outline CoCP [APP-025].

	Question to:	Question:
		In particular, are you satisfied that the enhanced mitigation measures would ensure the required noise reduction at locations that are predicted to experience a moderate to major adverse noise impact without any further mitigation?
13.4	Applicant	<p>Section 25.9.1.2 of ES Chapter 25 [APP-349] states that with the adoption of Best Practice Mitigation the cumulative impacts on construction noise and vibration are predicted to have no additional impact.</p> <p>Oulton Parish Council is concerned that there is a lack of information on the cumulative noise impact on the residents of Oulton of the Hornsea Project Three Offshore Wind Farm.</p> <p>Can you please respond and justify the conclusion you have reached.</p>
13.5	Applicant, NCC, NNDC, BC, BDC	<p>A number of interested parties have raised complaints about noise during the construction phase of Dudgeon.</p> <p>The proposed working hours set out in the Outline CoCP [APP-025] are 7am to 7pm Monday to Friday and 7am to 1pm Saturdays. These hours extend above standard hours for construction works.</p> <p>Given the proximity of some of the work sites to residential properties what is the justification for the extended hours?</p> <p>Should the working hours include reduced or no working on Bank Holidays?</p> <p>Do the core working hours include mobilisation periods? If not, what</p>

	Question to:	Question:
		<p>arrangements would be made for HGVs waiting to access construction sites in order to ensure that such vehicles would not adversely affect local residents?</p> <p>Should such measures be incorporated into the Outline CoCP?</p> <p>How will the onshore construction noise impacts be monitored?</p>
13.6	Applicant, NCC, NNDC, BC, BDC	<p>Section 3 of the Outline CoCP [APP-025] states that evening or Saturday pm/Sunday working may be required.</p> <p>Under what circumstances would this be needed and how frequently is this likely to occur?</p> <p>Under the worst case construction phase noise levels for these hours what impact would this have on local residents?</p> <p>Should the Outline CoCP [APP-025] include further mitigation measures to manage and mitigate the effects of these hours?</p>
13.7	Applicant	How was the location of the substation influenced by consideration of noise impacts on residential properties and what weighting was given to this in relation to other relevant factors?
13.8	BC	dDCO Requirement 27 [APP-005] sets out that the noise rating level for the operational phase with regard to Work No. 8A must not exceed 35dB LAeq (5minutes) and 32dB LAeq (15 minutes) in the 100Hz third octave band at any

	Question to:	Question:
		<p>time at a free field location immediately adjacent to any noise sensitive location.</p> <p>Do you agree with the above limits?</p> <p>Do you agree with the proposed monitoring of operational noise set out in dDCO Requirement 27 (3) [APP-005]?</p>
13.9	Applicant	<p>Table 25.36 within ES Chapter 25 [APP-349] identifies a minor adverse impact from operational noise at receptor location SSR10.</p> <p>Please provide further details of the noise mitigation measures that are envisaged to achieve the operational noise limits set out in dDCO Requirement 27 [APP-005].</p> <p>Would additional mitigation be required during maintenance campaigns which would require 24/7 working every summer?</p>
13.10	BC	<p>Operational noise arising from the modifications to the existing overhead line structure has not been considered further (Table 25.1 in ES Chapter 25) [APP-349].</p> <p>Do you agree with this approach?</p>
13.11	BC	<p>The extension to the existing Necton National Grid substation has not been included as part of the noise modelling presented in ES Chapter 25 [APP-349].</p>

	Question to:	Question:
		Do you agree with this approach?
13.12	Applicant	RR-259 states that the submission fails to take into account the impact on the two campsites and five holiday let businesses within earshot of the proposed substation. Can you please respond and justify the approach you have taken?
14.	Landscape and visual impact	
14.1	Applicant	Please explain how the concept of good design as set out in National Policy Statement (NPS) EN-1 has been taken into account in relation to both onshore and offshore components of the project.
14.2	Applicant	Please provide a smaller scale copy of the photomontage book which is too unwieldy to take on site visits.
14.3	Applicant	ES 29.6.2 paragraph 67 refers to landscape character areas. Either, please confirm where there are copies of each of the following assessments, or provide copies: <ul style="list-style-type: none"> • North Norfolk Landscape Character Assessment (June 2009) • Broadland District Landscape Character Assessment (September 2013) • Breckland District Landscape Character Assessment (May 2007) • North and South Brecks Landscape Character Assessment (October 2013)
14.4	Norfolk County Council, North Norfolk District Council, Broadland District Council, Breckland Council	Do you agree with the methodology, baseline data, assumptions and modelling used to assess landscape character and visual amenity impacts in the ES Chapter 29?

	Question to:	Question:
		<p>Do you accept the conclusions reached in tables 29.9, 29.10, 29.11, 29.12 of Chapter 29 of the ES [APP-353]?</p> <p>Do you accept the conclusions reached in relation to the assessment of potential cumulative impacts?</p> <p>Are you content with all mitigation and management measures set out in the Outline Landscape and Ecological Management Strategy (OLEMS), the Outline Access Management Plan and the Outline Code of Construction Practice?</p> <p>Please identify any outstanding issues.</p>
14.5	Applicant	<p>Figures 29.9a and b depict the Indicative Onshore Project Substation Mitigation Planting. There is a 10 metre band of woodland mix to the south of the project substation with two further 7 metre bands of woodland planting to the north-east and adjacent to the western boundary of the proposed substation site. It is noted that 5 metres to 7 metres growth would take 20 years and for the nurse species (assuming planting height of 1 metre) 7.25m to 9.75 metres after 25 years. Paragraph 118 confirms that the heights after 20 years would be 6.75metres and 9.05 metres respectively and 9.25metres and 12.55 metres after 30 years.</p> <p>What are the assumed heights of the mitigation planting within the photomontages in figures 29 entitled 'with mitigation planting'? In other words, which year, post completion of construction, do the photomontages represent?</p>
14.6	Applicant	<p>ES 29.7.1.3 refers to the possibility of advance planting (at the start of construction) in some areas so as to achieve 3 years growth prior to the</p>

	Question to:	Question:
		completion of construction. Please identify the areas suitable for such advance planting. Do they include the mitigation planting associated with the substation? How is the advance planting secured in the dDCO and how far in advance would it be?
14.7	Applicant	ES 29.7.1.3 please indicate the location and visual effects of the 2 metre earthwork bunds along the western side of the project substation. Are these works within the redline Order limits? Is the 7 metre woodland planting shown in figure 29.9b on top of this earthwork bund, and, if so, set out the measures you would take to ensure this planting would become properly established?
14.8	Applicant	<p>ES table 29.8: Worst case assumptions, the running track is assumed to be 6 metres wide and 60 km in length, to remain <i>in situ</i> for 2 years and the cable route enclosed by stock fencing.</p> <p>Please explain how the visual impacts of such works would be minimised and how it would be controlled through the dDCO?</p>
14.9	Applicant	<p>Worst case assumptions: the worst case in terms of the substation is some 19metres height for the buildings and 25 metres height in relation to the lightning protection masts. The photomontages indicate the Rochdale Envelope for the onshore project substation. Is the height of the box that is depicted set at 19m or 25m?</p> <p>Fences of 3.4metres around the substation are worst case assumptions in relation to the substation. Are these indicated on the photomontages? Are they permanent or temporary?</p>

	Question to:	Question:
14.10	Applicant	<p>The worst case scenario indicates that road widening associated with the A47 access junction would require the removal of existing roadside vegetation over a 300metre length for a construction window of 24 months. Figure 29.11a depicts planting removals on the A47.</p> <ul style="list-style-type: none"> • The plan depicts areas of Dudgeon planting to be removed, some of which fall outside the onshore red line boundary of this project. How would these removals be controlled and how would replacement planting be secured? • Have the effects of removal of Dudgeon mitigation planting been assessed in terms of the exposure of the existing substation and potential visual impacts?
14.11	Applicant	<p>The worst case assumptions for the construction of the onshore project substation indicate a construction window of 24 months, with road widening associated with A47 access junction requiring removal of roadside vegetation over 300m in length (see above). Paragraph 126 of ES 29.7.4 indicates that the onshore project substation ground preparation works would be done in one phase anticipated to take two years for pre-construction works and two years for primary works.</p> <p>Please confirm whether the access improvements would need to be in place prior to the commencement of the pre-construction works to facilitate HGV movements? Please also confirm the implications for replacement roadside planting and the likely timescales for such planting.</p>
14.12	North Norfolk District Council and Happisburgh Parish Council	See ES Chapter 29, table 29.9: do you agree with the assessment of likely effects relating to the landfall elements of the project?
14.13	Applicant	ES 29.7.5.2 refers to the effect on the landscape due to the temporary presence

	Question to:	Question:
		of the onshore cable route to include 4 trenches, construction of a running track and the formation of spoil heaps. Please indicate the likely locations (in broad terms) of the spoil heaps, their likely frequency along the route, their likely duration and whether they would be planted or seeded. Does the dDCO afford any control over such matters, as well as the maximum size and height of any spoil heap?
14.14	Applicant	ES 29.7.5.2. The ES confirms that the reinstatement of ground at the mobilisation areas, trenchless crossing compounds, cable relay easements and haul roads and the reinstatement of hedgerows and trees would take place at the end of construction. This effectively means that earlier construction phases could potentially be left un-remediated until the end of all of the construction. It is appreciated that some elements would need to remain pending completion of construction but would it be necessary to leave all elements un-reinstated For example it is noted that the recreational route of the Wensum Way would undergo significant effects over localised areas, would these effects remain until the end of construction or could earlier reinstatement take place? In any event how would such works be secured in the dDCO?
14.15	Applicant	ES 29.7.5.2: link boxes would be 1.5m x 1.5m per circuit and either buried to ground level or above ground as cabinets set along field boundaries. In the event that the link boxes are above ground; how would the design, colour and location of such infrastructure be controlled in the dDCO?
14.16	Applicant	ES table 29.10 identifies the most 'susceptible' hedgerows at highway crossing points near Aylsham (x3), on the crossing at Elsing Road and two crossing points on the B1145. The impact on these hedgerows is assessed as significant. If there are mature hedgerows on both sides of the highway these effects would be exacerbated. Please set out in detail the measures to be taken to mitigate these impacts over the immediate and longer terms. At these crossing points what is

	Question to:	Question:
		the length of hedgerow which would not be replaced due to an inability to replant over cable easements?
14.17	Applicant	<p>Table 29.10: identifies trees most susceptible to the proposed project at three crossing points and confirms that significant effects would occur:</p> <ul style="list-style-type: none"> • Colby Road, north of Banningham • Minor road near Hackford Hall • Norwich Road, Swanton Morley <p>In relation to each of these crossing points please provide further details regarding the quantum of tree planting likely to be affected, the proposed mitigation measures and identify those areas over cable easements where tree replanting would not be permitted.</p>
14.18	Historic England	Do you concur with the assessment of the effects of construction of the onshore cable route (including mobilisation areas) upon heritage assets Salle Park and Blickling Hall as set out in table 29.10 in ES Chapter 29?
14.19	Applicant	Localised significant landscape character effects are predicted for visual receptors along highway routes where mobilisation areas would be visible from the roadside. For example road users of a section of approximately 800m of the B1146 would experience localised significant effects due to the open nature of the eastern roadside and the proximity of the mobilisation area to the roadside coupled with its extent along the roadside. The Outline Landscape and Ecological Management Strategy (OLEMS) confirms that hedgerows would be reinstated where possible post construction. Please confirm what efforts would be made to minimise the extent of hedgerow removal and any mitigation measures to ameliorate the visual effects of the mobilisation areas during their period of use.
14.20	Norfolk County Council	Please comment upon the assessment of effects of the onshore cable route as well as mobilisation areas and trenchless drilling compounds upon visual receptors (footpath users) in relation to Wensum Way, Marriott's Way and Paston

	Question to:	Question:
		Way, as well as the cycle routes, as summarised in table 29.10 ES 29. Do you consider that the provisions in the OLEMS and dDCO adequately secure mitigation and replacement planting measures?
14.21	Applicant/Orsted/Norfolk County Council	<p>The onshore cable route would cross with the proposed Hornsea Project Three cable route to the north of Reepham.</p> <ul style="list-style-type: none"> • Please provide an assessment of the potential landscape impacts arising from the simultaneous construction of both projects in the same vicinity with compounds being located in the same vicinity and outline any measures which may be required to mitigate any impacts. • Would it be possible to secure appropriate sequencing of construction activities? If so, how could this be achieved in the dDCO?
14.22	Applicant	<p>See question 11.19 earlier</p> <p>Appendix 24.21 A47 Access Technical Note The different access options have differing environmental effects. Access A does not require any significant vegetation clearance whereas A1 requires the removal of 772m² of vegetation to allow for widening of the A47 and additional visibility splays. Access B requires vegetation clearance of the visibility envelope and A47 widening works.</p> <p>(i) To what extent have these matters, and the different options, been taken into account in the LVIA and ecological effects assessments?</p> <p>(ii) Figure 29.11a depicts planting removals on the A47- to which option do these removals relate?</p>

	Question to:	Question:
14.23	Norfolk County Council, Breckland District Council, Necton Parish Council	<p>Table 29.12 in Chapter 29 sets out the impacts of the onshore project substation and the National Grid extension during the operational phase. The effects are assessed upon the landscape and upon visual receptors from a number of viewpoints. Do you agree with the assessments? In particular please provide your comments upon the assessment of the effects upon viewpoint 2 Lodge Lane South and viewpoint 3 Lodge Lane North where localised significant effects lasting for 20 years have been identified.</p> <p>Similarly please comment upon the assessment of effects on viewpoint 4 A47 Necton substation and viewpoint 5 A47 Spicer's Corner.</p>
14.24	Norfolk County Council, Breckland District Council, Necton Parish Council, The Applicant	<p>A cumulative impact assessment has been undertaken - Tables 29.15, 29.16</p> <p>The potential for cumulative impacts has been assessed. Please comment on the conclusions in the following instances:</p> <ul style="list-style-type: none"> • Onshore project substation and national Grid substation extension with Norfolk Boreas- impacts on visual receptors at viewpoints 1, 2, 3, 5 and 6. • Onshore Cable Route: impacts on visual receptors on Marriott's Way at the intersection of the cable route with the Hornsea Project Three.
14.25	North Norfolk District Council, Broadlands District Council and Breckland District Council	Please confirm whether or not you agree that Table 29.10 setting out the potential significant effects for landscape and visual receptors contains all of the relevant significant effects. If you do not agree please state why and which other elements would give rise to significant effects.
15.	Onshore archaeology and cultural heritage	
15.1	Applicant	Please respond to Norfolk County Council's comment in its RR [RR-123] that a revised Outline Written Scheme of Investigation: Archaeology and Cultural Heritage (Onshore) should be produced which states that work will be carried out in accordance with the Council's Standards for Development-led Archaeological

	Question to:	Question:
		Projects in Norfolk (2018).
15.2	Norfolk County Council and Historic England	Are you satisfied that all necessary intensive evaluation, such as trial trenching, would take place post-consent and that any mitigation required as a result of this is adequately secured in the dDCO.
15.3	Norfolk County Council and Historic England	Are you satisfied with the wording of Requirement 23 of the dDCO?
15.4	Applicant, Norfolk County Council and Historic England	Section 28.7.2.2 of Chapter 28 of the ES [APP-352] refers to additional mitigation including the temporary suspension of works in the event of an archaeological discovery. Please comment on the likely effectiveness of this approach, particularly if intrusive groundworks are to be carried out when an appropriately qualified archaeologist is not present.
15.5	Norfolk County Council and Historic England	Please comment on the applicability of the Offshore Renewable Protocol for Archaeological Discoveries (ORPAD) to onshore construction activities and archaeology.
15.6	Applicant	Please respond to the comments made by the National Trust in its RR [RR-202] in regard to the potential impact on the archaeology of the Blickling Estate, and its request to be added to the list of consultees for the discussion of 'next steps' should previously unknown archaeological remains be encountered.
15.7	Applicant	Please explain what mitigation measures would be provided in regard to the Blickling Conservation Area if the onshore cable works were to be constructed in two phases.
15.8	Applicant	Please state what other factors apart from visual considerations have been taken into account in determining the predicted effects upon the settings of heritage assets.
15.9	Applicant	Please explain why you consider that the proposed landfall compound would not have any significant effect on the setting of the Grade II listed lighthouse and cottages.

	Question to:	Question:
15.10	Applicant	In reaching your conclusions in regard to the settings of heritage assets have you taken into account the installation of any lighting that may be required for the proposed substation or elsewhere?
15.11	Norfolk County Council, North Norfolk District Council, Breckland Council, Broadland District Council	Having regard to the information contained in the ES [APP-352], Change Report [AS-009] and Errata document [AS-010] please confirm whether you agree with the Applicant's conclusions and if not, comment on, any implications for archaeology, designated heritage assets and their settings in light of this new information, having particular regard to the Church of St Andrew, Bradenham.
16.	Geology, ground conditions, drainage, pollution and flood risk	
16.1	Applicant	On 26 November 2018 the UK Climate Projections 2018 (UKCP18) was published and is the first major update of climate projections in nearly 10 years, illustrating a range of future climate scenarios. How do the updated projections affect your flood risk assessment [APP-344]?
16.2	Applicant	Do you agree with the Environment Agency's comments [RR-117] that prior approval should be obtained for soil management, construction method statements, site and excavated waste management, and surface water drainage plans?
16.3	Applicant	The Outline CoCP [APP-025] at paragraph 45 sets out measures for working in Flood Zones 2 or 3, including a proposal to leave gaps in stored spoil. Please review this proposal and comment in light of the response of the Environment Agency [RR-117] that spoil stored in a functional floodplain will take away the flood storage capacity for that area and so increase flood risk elsewhere.
16.4	Environment Agency	Please explain what further consideration should be given to the impacts of mobilising existing contamination on excavation, how contaminants and sediments involved can be judged of 'high reversibility' or otherwise and what further measures to the embedded mitigation measures referred to in paragraph 114 of Chapter 19, ES [APP-343] you consider to be necessary.

	Question to:	Question:
16.5	Applicant	In light of comments by the Environment Agency [RR-117] concerning oil and petroleum tanks in Happisburgh village and other industrial activity, do you consider a more detailed assessment is needed of the potential for petroleum hydrocarbon pollution within the landfall working area at Happisburgh and potential contamination at the brick works at north east of North Walsham, and the infilled clay and shale pit at Necton?
16.6	Applicant	Do you agree that the choice of drilling fluid and HDD methodology should be agreed with the Environment Agency prior to the start of trenchless crossing works, including specific mitigation measures in addition to the 'embedded' measures presented. [APP-343]?
16.7	Applicant	Section 19.7.5.8 [APP-343] suggests that works should have little effect on the hydraulic regime in shallow aquifers and therefore, little risk to local groundwater abstractors. Have all abstractions within the study area been assessed in detail to ensure that local water supplies are not compromised?
16.8	Applicant Environment Agency	Would the Applicant please supply the ground investigation reports by Terra Consult (2017) and GHD (2018) referred to in [APP-343]. Please comment on whether a protocol could be agreed between the Environment Agency and the Applicant for the use of HDD at each sensitive location to include site and ground investigations, risk assessment, appropriate mitigation and remediation?
16.9	Applicant	Section 19.6.2.4 [APP-343] notes that no information can be obtained on private groundwater abstractions. Have you taken up the Environment Agency's offer to provide information on

	Question to:	Question:
		aquifer geology and borehole depth for most groundwater abstractions licensed until 2002? If so, how does this information affect your assessment of groundwater vulnerability and consequential impact assessment and proposed mitigation for the construction, operation and decommissioning phases of the project?
16.10	Applicant	[AS-001] With regard to the Whitewater River which is to be crossed by using open trench techniques, please describe as precisely as possible where drilling will start and end and whether or not it will be within the floodplain of the river in question.
16.11	Applicant	Do you agree the Environment Agency should be consulted on any proposed monitoring schemes associated with river crossing and pollution remediation works (to ensure the protection of the Wensum SAC and Southern North Sea SAC)?
16.12	Applicant	[APP-229] Should the Southern North Sea cSAC be noted on Map Sheet 1 of 27?
16.13	Applicant	Please review the maps in [APP-537] in light of comments of the Environment Agency [RR-117] suggesting that the classification of bedrock as Neogene to Quaternary Rocks (Undifferentiated) should be replaced with Crag.
16.14	Applicant	[APP-538] Do you agree that although Crag is referred to as a superficial deposit, it is a principal aquifer? Please comment on the suggestion [RR-117] that as a principal aquifer it must be accorded the protection warranted for such an important groundwater resources unit.
16.15	Applicant	[APP-227] Do you agree that in table 20.2 'WFD water bodies screened into the WFD compliance assessment' Blakeney Spit Lagoon although at Good Ecological Status, can only achieve Good Ecological Potential and should be designated as such?
16.16	Norfolk County Council	Please include in your submissions to the Examining Authority the Guidance Document Version 3, April 2017 published by you as Lead Local Flood Authority

	Question to:	Question:
		(LLFA) or any updated version thereof.
16.17	Applicant	Please review NCC's requirements as LLFA in [RR-123] in the section " <i>Flood and Drainage Issues and Comments</i> " and respond to the matters requested to be clarified to ensure a deliverable surface water drainage strategy prior to the end of the Examination.
16.18	Applicant	<p>Several Relevant Representations for example [RR-011], [RR-015] and [RR-130] express concerns relating to flooding of roads around Ivy Todd, Chapel Road and West End.</p> <p>What land drains are proposed to be removed and what specific assessment been made of the effects of existing infrastructure such as Dudgeon substation on surface run-off?</p> <p>What assessment has been made of the tributaries and drains in this vicinity, and how is it proposed to ensure that the construction and operation of the substation and associated infrastructure does not worsen the flooding in this area?</p>
16.19	Applicant	Do you take responsibility for maintaining the drainage for the lifetime of development and if so how is this secured and enforceable through the DCO?
16.20	Applicant	<p>Referring to Appendix 20.4 [APP-229] Table 20.1, it appears that the majority of ordinary watercourses are proposed to be crossed by open cut rather than Horizontal Directional Drilling for permanent works.</p> <p>Do you agree the County Council should have early consultation on the number of such crossings of Ordinary Watercourses and the required timeframes for approval?</p>
16.21	Applicant	Comment on NCC's statement that it seeks to avoid culverting, and its consent for such works will not normally be granted except as a means of access.

	Question to:	Question:
16.22	Applicant	Please comment on NCC's requirements for infiltration testing [RR-123] and how they would be incorporated within the Surface Water Drainage Plan.
16.23	Applicant	Do you agree that greenfield run-off rates will need to be agreed with the LLFA at detailed design stage?
16.24	Applicant	Where water enters the trenches during duct installation, this would be pumped via settling tanks or ponds to remove sediment and discharged into local ditches or drains. What contingency plan is there for any significant rainfall event that may prevent the effective drainage of water from the trenches? Confirm how exceedance routes for flows in excess of a 1 in 100 year rainfall event will be provided at detailed design stage.
16.25	Applicant	Please comment on the requirements for a maintenance plan for all drainage features over the lifetime of the development as suggested by NCC in its RR [RR-123]
16.26	Applicant	NCC [RR-123] has identified omissions from the Flood Risk Assessment (S7, S8, S9). Please comment on whether these matters should be included and at what stage in the design process?
16.27	Applicant	Use of the horizontal directional drill (HDD) method to bring the offshore cables onshore is understood to reduce potential significant adverse impacts from open trench construction on the stability of cliffs in the Happisburgh area. Please identify, with reference to the SMP and the coastal erosion study [APP-195] where the parameters have been calculated and set for the length, depth and angles of drilling that are compatible with the assessments that have been made in the study.
16.28	Applicant	What level of confidence exists that the Coastal Study's total expected erosion from 2016 to 2065 at approximately 50 metres is more robust than the Shoreline Management Plan estimate of the total expected erosion from 2016 to 2065 of

	Question to:	Question:
		approximately 110 metres? Given the "high" level of uncertainty due to dependence on processes and management elsewhere, have the drilling parameters taken account of the worst case scenario of coastal erosion rates in the SMP and if not why?
16.29	Applicant	Please comment on the feasibility of the suggested use of spoil from cable construction to infill at the western end return of the Cart Gap sea wall set out in NCC's RR [RR-123].
17.	Aviation and radar	
17.1	Ministry of Defence (MoD)	The Project comprises up to 200 wind turbines, up to 350m in height (to blade tip) to be located in the North Sea potentially in two distinct development zones (Vanguard East and Vanguard West) the latter approximately 47km east of the Norfolk- coast. You state in your letter of 4 October 2018 [AS-005] that the turbines and some of the tall ancillary offshore structures will affect military low flying training activities conducted in this area and these structures should be fitted with appropriate aviation warning lighting to maintain the safety of military air traffic. Please specify which offshore ancillary structures you consider will affect training activities and how? Have specifications for the desired warning lighting been agreed with the Applicant?
17.2	Applicant	How do you propose to meet the requirements of MoD concerning the fitting of aviation warning lighting to (i) turbines and (ii) specified structures?
17.3	MoD	You state in your letter of 4 October 2018 that the potential scale and location of turbines may be in line of sight and detectable to the air defence radar at RAF Trimingham; turbine proliferation in a specific locality can result in unacceptable degradation of the radar's operational integrity, and the proposed wind farm <i>"will cause unacceptable and unmanageable interference to the effective operation of</i>

	Question to:	Question:
		<p><i>this air defence radar."</i></p> <p>Explain, with reference also to your letter of 6 December 2018, what is the basis of the mitigation measures contemplated that may enable you to agree a Requirement and/or condition to be included in any DCO/DML issued. Please state how this would differ from Requirements 12 and 13 in the dDCO and whether any DML condition (or Requirement) contemplated would replace or be additional to those Requirements.</p>
17.4	MoD	Explain why Requirement 13(1) would not be an adequate safeguard to the continued effective operation of Remote Radar Head (RRH) Trimmingham.
17.5	MoD	Do you agree with the methodology for the assessment of impacts in Environmental Statement Chapter 16, Aviation and Radar [APP-340] and if not why not?
17.6	MoD	<p>[APP-340] at Paragraph 6 states that no onshore construction infrastructure is expected to breach aviation stakeholder radar or airfield safeguarded surfaces.</p> <p>Do you agree, having regard to the 3rd paragraph of your letter of 4 October 2018, or if not why?</p>
17.7	MoD	<p>Paragraph 19 of ES Chapter 16 [APP-340] refers to an MoD assessment of Operational Impact.</p> <p>Can this be made available to the Examining Authority or a redacted version?</p>
17.8	MoD	<p>Paragraphs 98 and 99 deal with the capability of the Trimmingham TPS77.</p> <p>Do you agree with this assessment and please explain in particular the enhanced signal processing capability and how this might, if at all, mitigate unwanted tracks on the radar at Trimmingham in relation to the proposed turbines when in</p>

	Question to:	Question:
		operation?
17.9	Applicant	<p>[APP-340] paragraph 22 refers to clutter created to NATS radar systems that is the subject of an agreed mitigation scheme.</p> <p>Please specify where the scheme is to be found and explain how it is to be enforced.</p>
17.10	NATS	<p>Document [APP-340] at paragraph 13 suggests that following modelling, you indicated that there would be no effect to the Cromer Primary Surveillance Radar (PSR) from Norfolk Vanguard East (NV East); however, there would be a predicted effect to the Cromer PSR from Norfolk Vanguard West (NV West). Mitigation is proposed to remove impacts created to the Cromer PSR at a maximum blade tip height of 350 m above HAT subject to regulatory approval of the Airspace Change Proposal (which will provide the mitigation solution) by the CAA.</p> <p>Please clarify details of the proposed mitigation submitted to you, to what extent this has been agreed and how it would be secured in the DCO.</p>
17.11	Applicant	How will the mitigation agreed with NATS be secured in the DCO?
17.12	CAA	With regard to your requirements for the lighting and charting of wind turbines can the required lighting be integrated with the requirements of MoD and if so how?
17.13	Inspectie Leefomgeving en Transport (ILT) (Netherlands CAA)	<p>You recommend, for consistency of obstruction lighting, that those wind turbines that are within the Amsterdam Flight Information Region (FIR) are lit in accordance with United Kingdom (UK) requirements.</p> <p>Please identify which areas are within the FIR. What is your understanding of</p>

	Question to:	Question:
		the material differences between the UK requirements and any different requirements that operate within the FIR? Please assess the compatibility of UK requirements with those requirements.
17.14	MoD	<p>Relevant representation [RR-261] dated 16 September 2018 from Susannah Spain states that in 1996 there was an F16 plane crash that contaminated the cable run route selected by Vattenfall to the National Grid substation at Necton, referring to "MoD documentation" that the alleged contamination contains radioactive substances.</p> <p>Please comment, providing information available to you, in redacted form if necessary, that describes the incident and identifies the exact location of the crash and the actual or assumed position of all potentially contaminated substances and what action has been taken as a result.</p>
17.15	Environment Agency	<p>Please comment on [RR-261] referred to above, providing documentation in your possession regarding investigations you undertook as a result of the incident and with what results.</p> <p>Please provide your assessment of whether there are areas of land in the Order Limits that should not be disturbed pending further investigation and what remediation and/or precautionary measures, if any, are appropriate to consider including in the DCO if consent is granted.</p>
17.16	Necton Parish Council	Regarding your comments in [RR-113] and the representations of Mr Hayton at the first Open Floor Hearing, please supply any documentary evidence in your possession pertinent to the 1996 Danish air force F16 crash site; the claimed associated radiation substance risk; and the warning alleged to have been given to MAFF in 1996. Please include any evidence relating to the alleged presence of hydrazine, carbon fibre, and depleted uranium at the crash site.

	Question to:	Question:
18.	Land use and recreation	
18.1	National Farmers Union (NFU)	You state [APP-355] Table 31.4 that some farms will not be able to lose a strip of land for the full 6 year duration of the construction. Please specify which farms would be affected, where they are located with reference to the Plots described in the Book of Reference, and justify this assertion.
18.2	NFU	Has the Applicant satisfied your demand referred to in [APP-355] for more information on reinstatement/construction, with a view to enabling land owners to put land back to use as quickly as possible?
18.3	Applicant	Please comment on progress to date in relation to the provision of information referred to in the preceding question.
18.4	Applicant	The treatment and reinstatement of soil during and after construction is one of the main issues of concern for land owners. Please explain (i) how would soil reinstatement and aftercare be dealt with in negotiations for option agreements with land owners; (ii) how would soil be reinstated or what measures would be put in place to bring the soil back to its condition and quality before the works took place; and (iii) do you agree that an after care plan should be included in a code of construction or soil management plan, and if so please provide a specification?
18.5	Applicant	Please confirm that all jointing bays would be underground and, once constructed, would not interfere with agricultural operations.
18.6	Applicant	Where link boxes are to be installed please provide details of their design and location, indicating where they are located within field boundaries, and describe how in each case their siting and design minimises interference with agricultural operations and does not pose a hazard to farm machinery.
18.7	Applicant	How would dust be controlled during construction and how could the effect of dust on irrigation be minimised?

	Question to:	Question:
18.8	NFU	You refer to issues raised by land owners' agents that some of the proposed access routes are not physically possible on the ground due to differing ground levels. Provide full details of each location where it is said to be not physically possible to provide the access route in question and justify your assertion.
18.9	NFU	With reference to the preceding question, in light of the Change Report [AS-009] now published which contains some proposed changes to access routes, please comment further as appropriate.
18.10	Applicant	How would landowners and occupiers access land severed by the construction works and how would such access be secured?
18.11	Applicant	Please refer to where the design and specification for the haul road is located in the application documents. Would landowners be able to access the haul road during construction and would it be possible to use tracking for the haul road laid on the surface of the land and taken up?
18.12	Applicant	Please provide specific detail on the period during which haul roads will be laid down and sever land to which access is required by landowners. (See the Outline Representations made for example in [RR-193]). Clarify whether for example for the construction period of 2 years, the roads would be taken up and then re-laid for a further 2 years if the Norfolk Boreas scheme construction phase is commenced? How would the position differ if the Project is completed in two phases?
18.13	Applicant	Please review ES Chapter 21 paragraph 128 [APP-345] on the potential temporary and permanent loss of Agricultural Land Classification (ALC) land and explain why a detailed assessment of land in individual fields that would become isolated or inaccessible should not be brought forward, rather than being left to

	Question to:	Question:
		the detailed design and construction stage. If not, how would landowners be given certainty over the extent of land to be acquired or subject to acquisition of permanent or temporary rights?
18.14	Applicant	Explain how the use of previously developed land has been prioritised to minimise the loss of agricultural land and the countryside in accordance with Objective 9 of the Joint Core Strategy (Broadland, Norwich and South Norfolk) adopted January 2014.
18.15	Breckland DC	Please clarify what precisely is meant by "high grade" agricultural land in Policy CP8 Adopted Core Strategy and Development Control Policies DPD with reference to ALC land.
18.16	Applicant	Do you agree with CPRE's assessment referred to in [APP-345] that the potential temporary and permanent loss of ALC land is 21% of the temporary strip along a 60 km route and comment with regard to 21.7.5.2
18.17	NFU Land Agents	Do you agree with the statement at 21.7.5.2 of Chapter 21 of the ES [APP-345] that where land is taken out of existing use or isolated due to construction and effectively taken out of use, this would result in loss of a growing season in the area affected for each farmer (plus possible severance) and the loss of associated income and if not why not?
18.18	Applicant	How would disturbance of soils resulting in a loss of carbon be compensated for in the reuse of soils moved and stockpiled during the construction process and secured through the CoCP and Soils Management Plan?
18.20	Applicant	Please provide a draft Soils Management Plan.
18.21	Applicant	Do you agree with the comments of Necton Parish Council [RR-113] that the extent of the area proposed for the substation involves a land take of Grade 3 agricultural land that doesn't comply with the National Planning Policy Framework or local planning policies? Please provide reasoning for your answer.
18.22	CPRE	In light of consideration given to soil resources in the context of ecosystem

	Question to:	Question:
		services and natural capital in section 21.6.4.1 [APP-345] and impacts related to biodiversity and ecological networks in Chapter 22 section 22.6.4 [APP-346], please justify your assertions in ES Chapter 21 Table 21.3 [APP-345] relating to the alleged misuse of the Rochdale Envelope and the NSIP process.
18.23	NNDC	<p>You refer to previous projects that have resulted in different impacts on farm businesses of compensation payments made to tenant farmers, relative to principal landowners.</p> <p>Given that compensation issues are not directly relevant to the proposed DCO, please explain what concerns you have that require specific amendment to the dDCO, including the bespoke provisions on which the basis of compensation will be assessed.</p>
18.24	Applicant	What mitigation works including alternative routes, if any, are proposed due to impacts from the cable route development on (i) Paston Way that runs from Cromer to North Walsham (ii) Weavers Way which runs from North Walsham to Great Yarmouth and (iii) other long-distance trails which currently promote circular walks along their length?
18.25	Applicant	Please give the plan references where the small areas of open access land adjacent to the onshore cable route are identified [APP-354] which under the CROW Act 2000, the public can freely walk.
18.26	Applicant	<p>There is potential for the cable route that would be constructed as part of this project and the route that would form part of the Orsted Wind Power (H3) project to cross at Reepham.</p> <p>Please describe how you would expect both projects to work together to minimise impacts on PROW FP18 and FP34 and how would this be secured?</p>

	Question to:	Question:
19.	Socio-economic, including tourism	
19.1	Applicant	ES Chapter 31 Table 31.39 [APP-355] states that the cumulative residual impact on community infrastructure assets is “minor adverse” yet it is also stated in the table that an assessment cannot be made without further information from interrelated chapters and discussion of programming with Norfolk Vanguard Limited”. Are you satisfied that this assessment is robust and please clarify the apparent discrepancy?
19.2	Applicant	When will the primary base for the operations and maintenance port facility for the Project be identified?
19.3	Applicant	The Third River Crossing (Great Yarmouth) is excluded from the Cumulative Impacts Assessment (CIA) in relation to socio-economic impacts expressly due to its being the subject of a separate DCO. Explain this reasoning further given the inclusion within the CIA of other projects that are subject to separate DCO’s.
19.4	Applicant	ES Chapter 5 [APP-329] sets out an indicative programme for the Project. Please review this programme in light of comments from NNDC [RR-258] relating to the dependency of local communities on the agricultural and tourism economy, explaining how if at all the maximum construction envelope could be reduced, including by specifying a maximum gap between the end of the first phase and commencement of the second phase so there would be greater certainty regarding the construction programme.
19.5	NNDC	Please supply copies of the Shoreline Management Plan and the Cromer to Winterton Ness Coastal Management Study (2013).
19.6	NNDC	You refer in your RR [RR-258] to the potential for the project to be affected by and/or contribute to coastal change. Please explain as precisely as possible what public benefits you consider should be derived from the project that you say should form part of formal mitigation as opposed to any wider community benefits, in order to manage adverse impacts

	Question to:	Question:
		in accordance with the Shoreline Management Plan (SMP). Justify any such formal mitigation/benefits with reference to the plan's focus on managed realignment in the short, medium and long term in the area where landfall will be made.
19.7	NNDC	In light of the assessments made in ES Chapters 30 and 31 [APP-354, APP-355] specify what impacts on local communities and businesses close to the landfall and along the onshore cable route you consider to be "significant adverse impacts" as referred to in [APP- 258] that would result from the management and delivery of the project, and why?
19.8	Applicant	In regard to development at Necton comprised within the project, you state [APP-355] that very preliminary exploration is underway as to strategic local investments that could example contribute to local resilience and sustainability. Please provide an update to this position and detail discussions held with Necton Parish Council.
19.9	Applicant	A socio-economic assessment of the site selection area for the proposed substation at Necton identifies the impact on community infrastructure, local businesses and residents (ES, 31.7 [APP-355]). Will the assessment be supplemented by including home-workers as a category and the impact on the local house price index and if so when?
19.10	Applicant	Specify the stakeholders in the phrase "stakeholder consultation" referred to in ES Chapter 31 Table 31.7 [APP-355] as a result of which demand for housing is to be scoped out of assessment.
19.11	Orsted	Comment on whether you consider account should still be taken of the Gross Vale Added (GVA) supported by construction activity and to demand for housing, accommodation and local services in the Local Impact Areas in the CIA, in light of the Applicant's responses to these points in [APP-355]
19.12	Applicant	In ES Chapter 31 Table 31.10 [APP-355] the value levels for community

	Question to:	Question:
		<p>infrastructure, other than for education and health, are given a low or negligible value as other facilities are available, merely stating that local facilities may be preferable and <i>"people can easily visit a different shops [sic] or businesses if necessary"</i>.</p> <p>How are these assessments informed by an analysis of the availability of alternative services and facilities using a sustainability approach to the socio, economic and environmental aspects of delivery of such infrastructure to local communities?</p>
19.13	Applicant	<p>In Table 31.29 [APP-355] it is stated that there are several businesses within 200m of the site boundary at Happisburgh and Whimpwell Green and one business within the site boundary.</p> <p>Have the nature of these businesses been assessed individually in relation to the potential for direct or indirect interaction with the effects of the project during construction and how have you engaged with each business to date?</p>
19.14	Applicant	<p>Please provide more detail on how the Construction Liaison Committee (CLC) would work with local businesses and stakeholders to minimise adverse impacts to an acceptable level ES Chapter 21 paragraph 165 [APP-355].</p>
19.15	Applicant	<p>Increased traffic is considered to be an issue that may have a significant effect on some community infrastructure and a small number of businesses in two areas of the cable route ES Chapter 31 Table 31.32, [APP-355].</p> <p>Please provide more detail on the areas of cable route in question and the nature of each business affected and to what extent. What is the worst case scenario for construction period(s) that may affect such businesses?</p>
19.16	Applicant	<p>Sections 30.6 and 30.8 of ES Chapter 30 [APP-354] consider dark sky areas. What is your conclusion as to how dark sky areas referred to will be protected from impacts of the project during both the construction and operational stages?</p>

	Question to:	Question:
19.17	Applicant	<p>BB4ER's RR [RR-069] indicates its wish to see a better broadband service to their area and look for an opportunity to insert telecommunication fibre optic cables in the same footprint as the onshore cable route. In [APP-355] you state that installation of such cabling falls outside the DCO application process but appear to be willing to explore the opportunity of inserting telecommunication fibre optic cables in the same footprint as the onshore cable route.</p> <p>Please explain what the implications are for the construction, operational, maintenance and decommissioning impacts of the Project of any eventual additional installation of fibre optic cables and how these have been assessed?</p>
19.18	Applicant	<p>The evidence quoted in [APP-355] to demonstrate little evidence to establish a quantifiable link between house prices and renewable energy infrastructure, is dated 2007. Has a thorough search been made of more recent literature on this subject and, if so, with what results?</p>
19.19	Applicant	<p>Happisburgh Parish Council state Beach Road car park is essential for village income and any closure must have a long notice period and preferably be compensated for, and requests a community fund.</p> <p>Has the revised proposal to use HVDC cable technology and long HDD at landfall obviated the need to consider the effect of the Project on Beach Road car park?</p>
19.20	Applicant	<p>You have been requested by Necton Parish Council to provide some form of financial compensation in respect of the impacts from siting of the onshore substation, referenced in the consultation responses to ES Ch.31.</p> <p>Your response does not clarify whether for example it accepts that "strategic investments" are appropriate in the context of mitigation of the effects of the Project. Please comment.</p>
19.21	Applicant	<p>State what is the timescale for the production of the Skills Strategy and Supply Chain Strategy and state how this is to be secured in the dDCO.</p>

	Question to:	Question:
19.22	Necton Parish Council NSAG	<p>You (and Necton Substation Action Group (NSAG)) refer to four holiday let businesses in PEIR response (cf [APP-354], Table 30.4 and paragraph 258).</p> <p>Please clarify (i) which of these businesses has made representations to the Examining Authority and provide the appropriate reference; (ii) provide insofar as you are able from publicly available information or with the consent of the businesses: (A) their location and details of the room numbers involved and (B) in light of the Applicant's assessment of hotels as low value for the reasons given at para 314 and elsewhere in [APP-354], your further comments if any as to what impact the use of tourist accommodation for the mobile workforce would have in the short, medium and long term situation for the local tourist industry.</p>
19.23	Applicant	Please add any further comments you may wish to make on the matters highlighted in the preceding question.
19.24	Applicant	<p>A number of hotels, self-catering cottages and camping and caravan parks are located in the vicinity of the landfall at Happisburgh South, and along the cable route (para 180 [APP-354]).</p> <p>What reasonable measures if any exist that you would expect holiday businesses and/or the Applicant could or should take that would facilitate the retention of rooms available for holiday lets during the construction period of the project, where this is a concern of the business in question?</p>
19.25	Applicant	What is the worst case scenario for the duration of sediment disturbance referred to in ES Chapter 30 paragraph 295 [APP-354] and has this been accounted for in your assessment?
19.26	Applicant NNDC	When will information be available for the sandscaping scheme at Bacton Gas Terminal to inform the cumulative impacts assessment of deterioration to North Norfolk WFD bathing waters and blue flag beaches in the vicinity of the proposed

	Question to:	Question:
		development?
19.27	Applicant	Please supply the Biggar Economics (2016) study of sites where onshore wind farms have been operational for around 10 years, referred to in ES Chapter 30 [APP-354].
19.28	Applicant	Norfolk County Council has stated in [RR-123] that there are likely to be demonstrable impacts during construction, operation and/or decommissioning on commercial fishing, affecting communities in Norfolk and it is considered that the Applicant should provide appropriate compensation (i.e. disturbance payments) to those fishing businesses affected. Please comment on whether you are prepared to provide compensation and if so under what circumstances, also explaining how this would be secured through the DCO?
20.	Content of the draft DCO (dDCO)	
20.1	Applicant	The questions below refer to the submitted dDCO [APP-005]. Please provide an updated Explanatory Memorandum with each submitted update to the draft DCO (dDCO) in order to assist everyone involved in the examination of the application.
20.2	Applicant	The Project is proposed by the Applicant after consultation as a result of which it is proposed to deploy HVDC export infrastructure, however the dDCO does not stipulate the use for this technology. Justify the omission of such a requirement in the dDCO, and comment on whether if anything other than HVDC were to be used that would result in a different scheme which has not been assessed.
20.3	Applicant	Comment on the general criticism levelled by Natural England (RR's Appendix 5) at the volumes and figures presented in the dDCO relative to the content of the Environmental Statement, and the suggestion that the project description should contain tables clearly highlighting all worst case scenarios and reflecting the

	Question to:	Question:
		figures in the DML's.
20.4	Natural England	Unexploded Ordnance (UXO) detonation is detailed within the ES (cf Appendix 5.2 - Norfolk Vanguard Detonation Effects of UXO and Appendix 5.4 - Underwater noise from UXO) but not referenced in the dDCO/DMLs. Explain in detail why you consider that a separate Marine Licence will need to be sought prior to construction, and why it is likely that a European Protected Species (EPS) licence will need to be applied for prior to any UXO detonation works.
20.5	Applicant	Comment on NE's relevant representations (Appendix 5) as to the need for licences as suggested by NE in relation to UXO.
20.6	Applicant	Neither the dDML's nor the rest of the dDCO refer to an upper limit on hammer pile energy. Should the maximum hammer energy assessed in the ES be specified within the design parameters in the dDCO and all dDML's, and if not why not, having regard to Natural England's comments in their RR's, suggesting that this is the best available means to ensure the noise generated from piling does not exceed that assessed within the ES?
20.7	Applicant	Article 2 There appears to be no definition of "onshore transmission works". Please comment. Is it intended that they comprise those onshore transmission works identified in Works Nos 5, 6, 7, 7A, 7B, 7C, and 7D?
20.8	Applicant	Article 2 In the Interpretations section (p7) there is a different definition of 'maintain' than in the Model Order. Explain and justify the different text.
20.9	Applicant	Article 2 Definition of "undertaker". In order to ensure that the DCO is binding upon any person to whom the benefit of the order is transferred the definition of 'undertaker' would need to be extended. Can the Applicant provide an updated

	Question to:	Question:
		definition or if not, justify why this would not be necessary?
20.10	Applicant	Article 4 The dDCO provides for variations to accommodate an eventual project at Boreas. Justify the parameters set for the Authorised Development by explaining how in particular the extent of parameters relevant to Norfolk Boreas are not so wide ranging as to effectively represent different schemes in the terms of Advice Note 9.
20.11	Applicant	Please provide a definition of "circuit" in Article (1) and include it within the dDCO.
20.12	Applicant	Article 6 Article 6(5) requires the Secretary of State to determine an application for consent to transfer the benefit of the Order within eight weeks from receipt of the application and Article 6(6) provides for arbitration in accordance with Article 38 if no such consent is received. Justify these provisions with particular reference to the discretion that resides in the Secretary of State to approve or not to approve an application to transfer the benefit of development consent orders and the public law remedies available in the event of dissatisfaction with a decision made by the Secretary of State.
20.13	Applicant	Explain separately why a period of eight weeks is stipulated in Article 6(5)
20.14	Applicant	Article 7 Article 7(2) excludes the operation of the Neighbourhood Planning Act 2017 relating to temporary possession or use of land and bespoke temporary possession provisions are written into the DCO. The 2017 Act appears to be designed among other matters to bring the general law into line with DCO orders and other orders that commonly make such provisions. Explain and summarise the significance of the differences in the bespoke provisions including the extent to which, if at all, they would adversely affect

	Question to:	Question:
		those who would otherwise be entitled to rely on provisions as drafted in the 2017 Act and to compensation.
20.15	Applicant	Article 7(2) refers to the temporary use of land for carrying out the authorised project and for maintaining the authorised project: should the articles referred to read, respectively, Article 26 and Article 27?
20.16	Applicant	Article 11 Please explain how it is intended that stopped up streets will be used for mobilisation areas and identify what consideration has been given to detailed design parameters, including control of such matters as stockpiling of materials, access, traffic management and boundary treatments, activities (such as crushing and sorting) undertaken within the mobilisation areas and the times during the day when such areas would be in use
20.17	Relevant planning authority	Regarding Article 11 have you considered the list of streets specified in column 1 of Schedule 4 for which there is a requirement for consultation, but not consent, that may be temporarily stopped up? Please comment thereon.
20.18	Applicant	Article 11 Are Articles 11(2) and 11(5) effective to secure that sufficient notice will be given and consultation will take place with the relevant street works authority of any area proposed to be used as a mobilisation area not already identified within the Order? In relation to all mobilisation areas, please explain how the order would ensure that adequate details of the plant and equipment proposed to be installed in that location and the activities undertaken and duration of use would be controlled.
20.19	Applicant	Article 12 Article 12 appears to give the Undertaker power to form and lay out means of access to Works in predefined locations and otherwise in accordance with Requirement 22.

	Question to:	Question:
		Confirm whether it is intended that possession will have been taken of the requisite land or rights will have been acquired in accordance with the compulsory acquisition schedule before any such means of access is formed.
20.20	Local highway authority	Please comment on Article 12 and the 28 day deemed approval period set out in Article 12(2) with regard to the implications of a worst case scenario with regard to the safety and efficiency of the highway network. Do you accept that a deemed approval provision is appropriate?
20.21	Applicant	Article 15 Article 15 allows for the onshore transmission works to be carried out in one or two phases. Explain why the works could not be completed in a single phase, and comment on, and explain the extent to which, remedial and mitigation works carried out after an eventual first phase may have to be revisited on implementation of a second phase of works.
20.22	Applicant	Provide a Gantt chart or similar plan that illustrates the Project schedule and explains the dependency relationships between the possible phases and stages of the authorised development for onshore Works, and a single or twin offshore phase of Works including the possible transfer of generation assets. The plan should include remediation and compensatory measures and other contingency provisions and the overall timescale of the Project.
20.23	Applicant	Article 16 appears to overlap with Section 53 Planning Act 2008 which provides for entry onto land for surveys to be undertaken in connection with, in effect, this dDCO. Summarise and explain the differences in the bespoke provision justifying where relevant the need for the additional provisions.
20.24	Applicant	Article 16 The onshore detailed design parameters make references to ground level and define the level differently for different parts of the Works. Please justify this

	Question to:	Question:
		approach and comment on whether ground levels should be defined before commencement of works and at the end of the works all levels to be same as original ground levels, and if so how this should be secured.
20.25	Applicant	Confirm whether a topological or contour survey has been undertaken in respect of any of the Order Limits and if so which parts. Please provide a topological survey of the areas proposed for the substation and extension to the existing substation.
20.26	Applicant	Article 23 Article 23 amends for the purposes of the Order, Schedule 2A of the Compulsory Purchase Act 1965, such that the counter-notice provisions in that schedule that are available to landowners, where only part of land is acquired compulsorily, do not apply where the land has only been taken possession of under the temporary possession powers set out in Article 26 or Article 27. Justify the inclusion of this additional provision.
20.27	Applicant	Article 27 Under Article 27 any land within the Order Limits, except (a) any house or garden belonging to a house; or (b) any occupied building (other than a house) which is reasonably required for the purpose of maintaining the authorised project may be entered and/or temporarily possessed. Provide a plan or plans that show the extent of land excluded from the scope of Article 27.
20.28	Applicant	Clarify what is meant by "garden" in Article 27 with reference to the concept of domestic curtilage, and whether or not it is intended that land forming part of the non-domestic curtilage of a building is to be excluded from the scope of Article 27.
20.29	Applicant	The Explanatory Memorandum [APP-006] appears to state that Article 27 would operate for a period of five years from the date on which "that part of the

	Question to:	Question:
		<p>authorised development is first used".</p> <p>Is it intended that more than one maintenance period may occur in respect of use commencing of separate parts of the Project, bearing in mind that Article 27 (12) appears to refer to a single date, being that when the authorised project first exports electricity to the national electricity transmission network?</p>
20.30	Applicant	Provide examples of scenarios in which it is envisaged that temporary works would be necessary over the land affected and confirm where the worst case scenario in terms of the nature and maximum duration of works has been evaluated in the Environmental Statement.
20.31	Applicant	<p>Article 29</p> <p>Should Article 29(a) read "limits of the land" instead of "limits to the land"?</p>
20.32	Applicant	<p>Article 38</p> <p>Is it intended that any dispute or non-approval in relation to any matter referred to in the deemed marine licences be referred to arbitration in accordance with Article 38 and if not please explain why?</p>
20.33	Applicant	<p>Article 40</p> <p>What provision is made for abatement of works or site restoration in relation to abandoned or decayed onshore works?</p>
20.34	Applicant	<p>Schedule 1</p> <p>The project is not subject to a requirement to carry out all or any of the Authorised Development, for example Schedule 1 Part 1 refers to "up to 200 wind turbine generators" comprised within Work No 1. The Explanatory Memorandum [APP-006] at 4.28 states it is lawful for less than the full extent of the consent to be constructed, as long as what is constructed is in accordance with the requirements of the consent.</p> <p>Justify this statement in 4.28, distinguishing long standing principles from legal</p>

	Question to:	Question:
		authority relied on.
20.35	Applicant	The inter-tidal area, in which Work No 4B is proposed, appears to fall within the jurisdiction of the MMO and North Norfolk District Council (Ex Memo 4.12). (i) Confirm whether jurisdiction only exists and is to be exercised in relation to the discrete powers and duties of the respective bodies including those that stem from the DCO, explaining the remit of the respective bodies. (ii) Identify any concurrent jurisdiction over aspects of the Work, or possible exercise of independent jurisdictions over the same subject matter, and if there are any, provide details.
20.36	Applicant	Comment on the RYA's concerns [RR-019] as to (i) a possible reduction in water depth at the cable landfall area where the cable comes within the 10m contour; (ii) issues where the cables cross other wind farm export cables and other inland waterways on route to the onshore Grid connection and the request for RYA to be consulted with respect to this matter.
20.37	Applicant	Justify the need for ongoing operational safety zones for floating offshore wind turbines outside of construction, major maintenance and decommissioning periods, or manned structures during operation.
20.38	Applicant	Works Nos. 6 – 7D refer to “onshore transmission works consisting of up to four cables to be laid in ducts and up to four additional cable ducts for the Norfolk Boreas offshore wind farm”. However Chapter 5 of the ES [APP-329] refers in multiple locations, including at Table 5.32 which summarises the onshore cable route parameters, to a maximum of four cable trenches to be installed in relation to both the Proposed Development and the Norfolk Boreas project, likely to be two ducts for the four cables of the Proposed Development and two ducts for Norfolk Boreas. Please clarify the apparent discrepancy.

	Question to:	Question:
20.39	Applicant	Schedule 1, Part 2 Of the Ancillary works referred to in (a) (b) and (c) clarify precisely which works or structures are intended to be temporary, by what periods will they be defined as temporary, and explain what assessment has been made of their impacts as recorded in the Environmental Statement.
20.40	Applicant	Requirement 2 states that the wind turbines will not exceed a height of 200m when measured from HAT. However Table 5.7 of the ES states that the maximum hub height of the turbines will be 198.5m above HAT. If 198.5m is what has been assessed should this not be inserted into the dDCO?
20.41	Applicant	In Requirement 5 with regard to cable protection, should the area of impact be stated as well as the volume, and in respect of scour protection?
20.42	Applicant	Explain (i) why Requirement 11, with regard to scour protection, does not provide figures for individual turbines, and (ii) whether scour protection should be defined, as suggested by MMO [RR-186] for individual structures and aligned with the ES, and if not why not?
20.43	Applicant MMO	Requirement 13 (2) Mitigation is offered in respect of wind turbine generators that may affect Ministry of Defence surveillance operations. If the Examining Authority concludes that there will be some adverse effects, and the mitigation offered or agreed with MoD is deemed acceptable, is the drafting adequate to allow for such appropriate mitigation that will not necessarily "prevent or remove" in their entirety those effects?
20.44	Applicant	Requirement 14 prevents offshore works commencing until a written decommissioning programme in compliance with any notice served upon the undertaker by the Secretary of State (SoS) pursuant to section 105(2) of the 2004 Act has been submitted to the SoS for approval. The decommissioning programme set out in the Energy Act 2004 does not cover

	Question to:	Question:
		the inter-tidal zone (the area of the shore between the high and low tide water marks), however, decommissioning of any infrastructure in this zone should be carried out in accordance with any removal conditions attached to a Marine Licence issued under the Marine and Coastal Access Act 2009. How will any decommissioning programme apply to Work 4B, the inter-tidal area?
20.45	Applicant	Confirm whether it is intended that Article 15(1) requires notification but not approval of the number of onshore phases of construction.
20.46	Applicant	Should Article 15(2) be amended such that approval of the relevant planning authority is required to the written scheme setting out the stages of the onshore transmission works? (Article 15(5) requires the scheme to be implemented as approved)?
20.47	Applicant	In Requirement 16(5) and (9) should there be a definition of "external electrical equipment"? (Cf definition of "onshore project substation" which does not distinguish external from internal equipment)
20.48	Applicant	Requirement 19 specifies a period of five years during which trees or shrubs should be replaced in specified circumstances. Should in addition a period of ten years be specified in the case of all structural planting and if so, how should the DCO be amended?
20.49	Norfolk County Council	Requirement 20 Explain why, in relation to this requirement, Norfolk CC as the Highways Authority should be the designated relevant local authority for construction affecting rights of way and trails and how, if at all the requirement should be amended to reflect this.
20.50	The Applicant	The Environment Agency [RR-117] seeks prior approval for soil management, construction method statements, site and excavated waste management, and surface water drainage plans to ensure that all areas within its remit are

	Question to:	Question:
		adequately addressed and that areas of crossover between environmental elements are captured. Should there be a requirement for it to be consulted and to approve detailed CoCPs to safeguard areas within their remit and if not why not?. Please comment on how the CoCP should be structured and managed and whether Requirement 20 should provide that, for each phase a CoCP and associated pollution control plans are submitted to and approved by the Environment Agency prior to works on that phase commencing?
20.51	The Environment Agency	Comment on how, if at all, Requirement 20 should be varied in light of your concerns to safeguard areas within your remit.
20.52	Applicant	Please comment on Requirement 20 in light of Norfolk CC's relevant representations [RR-123], including whether the definition of relevant local authority, (defined as the district authority), needs to be altered, and are there other instances where a change to substitute or add the local highways authority is appropriate?
20.53	Applicant	Should Requirement 20(1) be amended to add wording such as "and authorities in whose area the stage or stages fall"?
20.54	Applicant	Should Requirement 20 be amended to ensure that fencing and screening is in place prior to commencement of substantive operations?
20.55	Applicant	Surface water management is referred to in Works Nos 8B, 10B, 12, the CoCP in Requirement 20, and the protective provisions in Part 7 of Schedule 16 for the Environment Agency and drainage authorities. Comment on the County Council's proposed additional condition/requirement at para 1.34 [RR-123], also having regard to Environmental Statement [APP-229] Appendix 20.4 - Detailed Watercourse Crossing Schedule and table 20.1 re

	Question to:	Question:
		<p>crossing of ordinary watercourses:</p> <p><i>"Prior to commencement of development, in accordance with the submitted Environmental Statement for Application for Development Consent - The proposed Norfolk Vanguard Offshore Wind Farm, detailed designs of a surface water drainage scheme incorporating the following measures shall [NB if this is to be included, 'shall', 'will' , 'should' needs to be changed to 'must' in the drafting] be submitted to and agreed with the Secretary of State or his delegated approving body. The approved scheme [will] be implemented prior to the first use of the development. The scheme [shall] address the following matters:</i></p> <p><i>I. Detailed infiltration testing to be undertaken in accordance with BRE Digest 365 within the study areas for the sub-station and the National Grid sub-station extension for the design of SuDs features.</i></p> <p><i>II. If infiltration is not possible surface water runoff rates [will] be attenuated to the pre development 1 in 1 year rate (or 2 l/s/ha). Where applicable confirmation [should] be sought from the Internal Drainage Board that the proposed rates and volumes of surface water runoff from the development are acceptable.</i></p> <p><i>III. Provision of surface water infiltration / attenuation storage [should] be sized and designed to accommodate the volume of water generated in all rainfall events up to and including the critical storm duration for the 1 in 100 year return period, including allowances for climate change, flood event.</i></p> <p><i>IV. Detailed designs, modelling calculations and plans of the of the drainage conveyance network in the:</i></p> <ul style="list-style-type: none"> <i>• 1 in 30 year critical rainfall event to show no above ground flooding on any part of the site.</i> <i>• 1 in 100 year critical rainfall plus 40% climate change event to show, if any, the depth, volume and storage location of any above ground flooding from the</i>

	Question to:	Question:
		<p><i>drainage network ensuring that flooding does not occur in any part of a building or any utility plant susceptible to water (e.g. electricity equipment required at the converter / booster station and substation) within the development.</i></p> <p><i>V. The design of any drainage structures [will]include appropriate freeboard allowances. Plans to be submitted showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period</i></p> <p><i>VI. Details of how temporary works or temporary storage areas that will generate surface water runoff will be controlled to prevent a temporary increased risk of flooding. These details [will] also include what strategy/ plans will be provided to reinstate land to the pre-development state.</i></p> <p><i>VII. Finished ground floor levels of the converter / booster station and substation [should] have a freeboard such that all infrastructure is above expected flood levels from all sources of flooding, including fluvial flooding associated with the ordinary watercourse, tidal flooding and any above ground storage or flooding from the proposed drainage scheme.</i></p> <p><i>VIII. Details of how all surface water management features are to be designed in accordance with The SuDS Manual (CIRIA C697, 2007), or the updated The SuDS Manual (CIRIA C753, 2015), including appropriate treatment stages for water quality prior to discharge.</i></p> <p><i>IX. A maintenance and management plan detailing the activities required and details of who will adopt and maintain the all the surface water drainage features for the lifetime of the development. This [will] also include the ordinary watercourse and any structures such as culverts within the development boundary."</i></p>
20.56	Applicant	Requirement 23 refers to an archaeological written scheme of investigation to be approved by the relevant planning authority after consultation with Historic

	Question to:	Question:
		<p>England and Norfolk County Council.</p> <p>Please comment on the County Council's proposed additional requirements:</p> <p>A) No development [shall] take place other than in accordance with the submitted and approved Outline Written Scheme of Investigation: Archaeology and Cultural Heritage (Onshore).</p> <p>And, separately,</p> <p>B) The development [shall] not be operated until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.</p>
20.57	Applicant	How is it proposed within Requirement 23 or elsewhere in the dDCO to secure that all mitigation measures included in the outline archaeological Written Schemes of Investigations (WSIs), are secured?
20.58	Applicant	With regard to the outline WSI (onshore) [APP-029], how is it proposed to ensure that all necessary mitigation measures are made enforceable through the dDCO and are agreed with the relevant local authority archaeological advisors?
20.59	Applicant	<p>Requirement 26</p> <p>Please justify in relation to each of the activities specified, the power to work outside normal construction hours set out in 26(2).</p>
20.60	Applicant	Is it intended to vary construction hours where the Works are in proximity to residential properties? If so, please provide details and explain how this will be secured by the DCO?
20.61	Applicant	<p>Requirement 29</p> <p>Explain how the permanent cessation of commercial operation of the onshore transmission works will be verified.</p>
20.62	Applicant and relevant planning	Comment on whether it is necessary and/or desirable for the undertaker to notify

	Question to:	Question:
	authority	the relevant planning authority within 28 days of its determination to cease commercial operations
20.63	Applicant	Justify why a period of 6 months from the date of permanent cessation of operations is necessary within which to submit an onshore decommissioning plan.
20.64	Applicant	ES Chapter 5 – paragraph 5.5.2.9 identifies that the cabling can simply be pulled from the ducting for recycling. What assessment has been made of the risk that the seaward, and, over the long term, landward ducts and infrastructure will be exposed and will require removal, identifying what funded mechanisms are proposed if any for the removal of historical/redundant infrastructure.
20.66	Relevant planning authority	Please comment on the acceptability of Article 31 which deals with amendments to approved details
20.67	Relevant planning authority	Requirement 31 can be read in conjunction with Schedule 15 which relates to consultation periods for discharge of Requirements. Do you intend to consult persons/bodies for the purposes of discharging any Requirement or agreeing to an amendment or variation, who are not named in the Order as “requirement consultees”? If so consider and comment as to whether they should be added as a “requirement consultee”, specifying where in the Order any such change is necessary and why.
20.68	Applicant	Schedules 9 to 12 Deemed marine licences In the event that a transfer of benefit takes place, (i) what mechanisms would be in place to ensure that two different windfarm developers working in the same area will work in co-operation especially with regard to in-combination effects and (ii) what consideration has been given to securing such mechanisms within the dDCO/DML’s?
20.69	Applicant	Schedules 9 to 13

	Question to:	Question:
		<p>A condition in each draft licence is concerned with driven or part-driven pile foundations and harbour porpoise as a protected feature of the Southern North Sea candidate Special Area of Conservation.</p> <p>Comment on the relevant representations of 03 August 2018 from Whale and Dolphin Conservation [RR-013], and in particular each of its key recommendations, explaining what consideration has been given to such matters, where they are included within the dDCO, and, where the Applicant considers it appropriate, how the dDCO could be amended to secure the recommendations or otherwise justifying their non-inclusion.</p>
20.70	Applicant	<p>(i) Comment on the Wildlife Trust's recommendation [RR-172] that all offshore wind farm developments should be conditioned as part of their DCO to pay into an underwater noise levy which would fund and deliver strategic mitigation and monitoring and establish an implementation group.</p> <p>(ii) Clarify the position with regard to ES Appendix 12.6 which suggests there is potential for tens of thousands of harbour porpoise to be impacted by underwater noise disturbance.</p> <p>(iii) What mechanisms are appropriate to deliver strategic monitoring and mitigation to understand and manage in-combination underwater disturbance impacts, or if none explain why?</p>
		Schedules 9 and 10
20.71	Applicant	Comment on whether, in Part 3 condition 2 (1) (e) the number of cable crossings should be limited to the number assessed in the ES.
20.72	Applicant	Comment on whether in Part 3 condition 2 (2) (c) it is appropriate to give disposal as a total volume, having regard to NE's RR's at Appendix 5.
20.73	Applicant	Should Part 4 condition 8 (1), whilst listing the maximum scope of the project for both potential phases, also specify the total maximum array cables, cable

	Question to:	Question:
		protection and cable crossings?.
20.74	Applicant	Part 4 condition 8 (2) requires the undertaker to inform the MMO if the project is to be built in one phase or two. Should Natural England also be included in this notification and if not why not?
20.75	Natural England	Please comment on the suggestion that you be included in the notification referred to in the preceding question.
20.76	Applicant	Comment on the MMO's recommendation [RR-186] that a condition is included to restrict the maximum hammer energy to the worst case scenario (5,000kJ) assessed in the ES: <i>In the event that driven or part-driven pile foundations are proposed to be used, the hammer energy used to drive or part-drive the pile foundations must not exceed 5,000kJ</i> "
20.77	Applicant	In Part 4, condition 9(7), does the Applicant agree that Kingfisher should be informed at the beginning of a major stage of the project, such as operations and maintenance or any works which represent a risk to fishermen?
20.78	MMO	Supply wording in respect of your proposed amendment to Part 4, condition 9(7) of Schedules 9 to 12 to the dDCO
20.79	Applicant	Should Condition 12 be amended as suggested by MMO to ensure that no man-made material is disposed to sea (" <i>any man-made material must be separated from the dredged material and disposed of on land</i> "), and if not why not?
20.80	Applicant	The disposal return date in Condition 12(4) of 31 January for a period August to January inclusive is suggested by the MMO to be revised to the 15th of the month following the disposal period. Does the Applicant agree the consequential amendment proposed by MMO: " <i>The undertaker must inform the MMO of the location and quantities of material disposed of each month under this licence. This information must be submitted to the MMO by 15 February each year for the months August to January inclusive, and by 15 August each year for the months February to July inclusive.</i> "

	Question to:	Question:
		and if not why not?
20.81	Applicant	Should Part 4 condition 12 (6) be amended, in light of NE's RR's that the use of similar materials minimises the impact on the environment, to include the additional wording: ' <i>where reasonably practicable any rock material used will be similar to material naturally present in the location</i> ' and if not why not?
20.82	MMO	Clarify your reference to Condition 13(2) and "the survey" in connection with your suggestion that where the cable route crosses the Haisborough, Hammond and Winterton SAC, the survey should extend outside the Order Limits to ensure any reef known to be present has been unaffected by the works.
20.83	Applicant	Condition 14 (1) (a) refers to the design plan which outlines the micro-siting requirements. Should Natural England be named as a consultee on this design plan and if not why not?
20.84	Applicant	Conditions 14 (1) (b) (iii) and (aa) cover the requirement for pre-construction monitoring to be agreed 4 months prior to the first survey. Assess whether in light of NE's comments [RR-106] a different approach is appropriate and comment on the benefits argued for, of an extended period for submitting monitoring plans prior to the first survey and what, if any, alternative period is appropriate.
20.85	Applicant	Condition 14 (1) (c) and (g) require submission of cable installation plans but not to discuss ground preparation works and potential disposal activities involved. Comment on NE's RR's on this matter and whether: (i) the plans should be required to provide detailed information on any disposal works involved, methodology and proposed location of disposals. (ii) a condition should be added to ensure a sandwave levelling, seabed preparation and disposal plan is provided as detailed in NE's RR's; and if so comment on the proposed wording: " <i>(vii) in the event that sandwave levelling,</i>

	Question to:	Question:
		<i>seabed preparation or disposal is required within the Haisborough Hammond and Winterton Special Area of Conservation, the licence activities, or any phase of those activities must not commence until a detailed methodology and updated assessment of the impacts has been submitted to the MMO and the MMO is satisfied that the methodology includes such mitigation and monitoring as is necessary to avoid adversely affecting the integrity of a relevant site."</i>
20.86	Applicant	Condition 14 (g) (ii) requires submission of cable installation methodology. Should it be amended to require the plan to provide the methodology for seabed preparation works such as pre-lay grapnel runs, seabed levelling and disposal activities and if not, why not?
20.87	Natural England	Explain, in your relevant representations [RR-106] " <i>also allow amendments to the plan to be reviewed in context with the existing volumes and the success to the cable protection and scour protection deployed</i> " and clarify whether the dDCO needs to be amended in this regard and if so how.
20.88	Natural England	Justify the proposed amendment to Condition 14 (e) (scour protection and cable protection plan) to require an as-built report to be submitted after completion of cable installation works, to confirm the locations and volumes deployed and thus confirm adherence to the approved plan.
20.89	Applicant	Condition 14 (1) (l) requires submission of an ornithological monitoring plan, however as the timing of this report is not stipulated, it would, under Condition 15 (2) require to be submitted 4 months prior to construction. Comment on whether a longer period of 18 months as suggested by Natural England is appropriate in light of NE's suggestion that ornithological monitoring plans often require a full year's survey pre construction, and if not what alternative period if any is appropriate.
20.90	Applicant	Condition 14 (j) requires submission of an operations and maintenance plan

	Question to:	Question:
		<p>every 3 years.</p> <p>Comment on whether, in light of NE's RR's as to significant concerns related to the designated sites and the presence of annex I habitat along various areas of the export cable, its proposal for consultation and updated assessments is acceptable and if not why not.</p>
20.91	Applicant	Condition 15 (1) requires all archaeological reports to be agreed with the statutory historic body. Could another condition be added requiring all ecological reports be agreed with the statutory nature conservation body?
20.92	Applicant	Should all pre-construction monitoring reports be submitted to the MMO six months before commencement of works? (Condition 14(j))
20.93	Applicant	Condition 15 (2) requires all pre-construction plans to be submitted 4 months prior to construction. In light of the reasons stated by NE as to the increased size and complexity of projects such as the Project, should this period be extended and if so by what period, and if not why not?
20.94	Applicant	Condition 16 requires a post construction survey of the seabed to be submitted to the MCA. This appears to be very similar to the requirements of Condition 20. Is there a need for a separate condition?
20.96	Applicant	<p>Condition 19 (3)</p> <p>Please comment on the reasons given by NE for its proposed amendment and the proposed wording:</p> <p><i>(3) The results of the initial noise measurements monitored in accordance with sub-paragraph (1) must be provided to the MMO within six weeks of the installation of the first four piled foundations of each piled foundation type. The assessment of this report by the MMO will determine whether any further noise monitoring is required. If, in the opinion of the MMO in consultation with Natural England, the assessment shows significantly different impact to those assessed in the ES or failures in mitigation all piling activity must cease until an update to</i></p>

	Question to:	Question:
		<i>the MMMP and further monitoring requirements have been agreed.</i>
20.97	Applicant	Part 4, Condition 19(3) is interpreted by MMO (2.22) such that activities can continue in the event that the results of the as-built noise monitoring fail to confirm the effectiveness of current modelling and mitigation. Please comment, including on the suggested amendment: <i>"If, after expert review, the results received 6 weeks after the completion of the first four piles are deemed to be unacceptable, then the MMO will look to suspend all further piling activities in the event that the developer has not already voluntarily done so"</i>
20.98	MMO	Justify your proposed amendment to Part 4, Condition 19(5): <i>"In the event that driven or part-driven pile foundations are proposed to be used, a marine mammal mitigation protocol (MMMP), including details of soft start procedures with specified duration periods following current best practice as advised by the relevant statutory nature conservation bodies."</i>
20.99	Applicant	Does the Applicant agree the proposed amendment by MMO to Condition 19(5) and if not why not?
		Schedules 11 and 12 transmission DML's
20.100	Applicant	Part 3 condition 2 (2) lists cable protection, however the export cables include 2 pipeline crossings. Should this provision be amended and should the number of pipeline and cable crossings be restricted to the parameters assessed in the ES?
20.101	Applicant	Part 3 condition 3 describes the limits of the project. Should it also limit the project to a maximum of 6 export cables and maximum length of cable of 400km, as detailed in the ES?
20.102	Applicant	If the Change Report is accepted [AS-009] what would be the consequential amendments to the DCO Order Limits?

	Question to:	Question:
20.103	Maritime and Coastguard Agency	The dDML's refer to Emergency Response & Co-operation Plans. Are you proposing an amendment in respect of a SAR checklist to be agreed before construction starts to include the requirement for an approved Emergency Response Co-operation Plans (ERCOP)? If so please clarify what part of the dDCO and/or DML's you consider should be amended and provide your proposed wording.
20.104	Applicant	Please comment on the MCA's suggestion relating to Emergency Response Cooperation Plans (ERCOP)'s [RR-187].
20.105	MCA	Justify your proposal for linear progression of the construction programme with reference to any adverse effects of disparate construction sites across the development area, and the need for an agreed construction plan to be in place ahead of any works commencing, explaining how the dDCO/DML's should be amended.
20.106	Applicant	Comment on the MCA's suggestion [RR-187] relating to the construction programme.
20.107	MCA	Clarify what amendment is proposed to the dDCO/DML's to ensure that consented cable protection works do not compromise existing and future safe navigation. Does the Applicant accept the MCA's request to specify a maximum of 5% reduction in surrounding depth referenced to Chart Datum?
20.108	Applicant	Comment on the MCA's suggestion relating to the cable protection works.
20.109	Applicant	Schedule 14 Comment on Natural England's RR(Appendix 5) taking account of concerns that the arbitration procedure may compromise its advice and its ability to meet its responsibilities; that it should not be subject to any potential award of costs; and that the confidentiality clause may not be enforced against it.
20.110	Applicant	Comment on the RR's from the MMO [RR-186] in respect of the arbitration clause, and on each of the paragraphs 2.1 to 2.7 of the representations.

	Question to:	Question:
20.111	Applicant	Schedule 15, 2.4. There appears to be a typographical error in the wording "is not thereafter be entitled". Please clarify.
20.112	All Discharging authorities	Schedule 15 sets out the procedure for discharge of Requirements. Please comment on the efficacy of the proposed arrangements, highlighting areas of dispute, if any.
20.113	Applicant	Schedule 16 The Environmental Permitting Regulations (England and Wales) 2016 are now the relevant regulations which relate to flood risk activity permitting. Should the protective provisions for the benefit of the Environment Agency (Schedule 16) refer to this legislation?
20.114	Applicant	Schedule 16, Part 2 (National Grid) paragraph 16 prevents the undertaker from acquiring any land interest or apparatus or overriding any easement and/or other interest of National Grid otherwise than by agreement. However The BoR lists several interests that National Grid (National Grid Electricity Transmission plc) has, among other matters, as lessees or occupiers. Clarify why these entries are included in the BoR as interests susceptible to compulsory acquisition.
20.115	Cadent Gas	Comment specifically on the protective provisions in Part 3, Schedule 16 of the dDCO as to whether they adequately protect your interests, including apparatus and land interests (gas distribution network) with reference to major accident hazard pipelines and below and above ground apparatus within the Order Limits.
20.116	Applicant	Please explain why a definition of 'scour protection' has not been provided within the 'Part 1 Interpretation' section of each of the DMLs?
20.117	NE and RSPB	In the relevant DML Conditions in Schedules 10 and 11 of the made DCO for East Anglia THREE and Requirement 2(2), there was a specified minimum draught

	Question to:	Question:
		height of 22m above MHWS, but there was also the stipulation of a maximum number of wind turbine generators (WTGs) with a draught height of less than 24m from MHWS. Are you satisfied that this has not been included in the dDCO for Norfolk Vanguard?
20.118	Applicant	Please justify why the imposition of a 5 year maintenance period for landscaping in Requirement 19 of the dDCO would be sufficient to ensure that all the proposed landscaping would be suitably established, and please clarify whether a longer period has been considered.
21.	Monitoring, mitigation and management plans	
21.1	Please see questions in other sections	
22.	Compulsory acquisition (CA)	
22.1	Applicant	<p>In relation to the Change Report [AS-009] where amendments to the Onshore Order Limits are proposed, although named as minor changes in fact Additional Land is proposed to be included within revised Order Limits. Additional Land is defined in the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (the 2010 Regulations) as land which it is proposed shall be subject to compulsory acquisition and which was not identified in the book of reference submitted with the application [APP-010] as land.</p> <p>Please confirm that this is the intention of the Applicant, rather than to simply exclude the unnecessary land from the Order Limits and rely on agreement, with the landowners and others with interests, for acquisition of the additional land</p>

	Question to:	Question:
		required for the Project which lies outside the Order Limits.
22.2	Applicant	<p>If so, it appears that in relation to each proposed amendment the Applicant then relies on Condition (3) set out in Planning Act 2008 section 123(2)–(4) that all persons with an interest in the land consent to the inclusion of the provision in the dDCO.</p> <p>Please confirm that this is the case and supply full evidence of the consent of each such person or otherwise confirm that the prescribed procedure will be followed in relation to the land.</p>
22.3	Applicant	<p>Regulations 5 to 9 of the 2010 Regulations prescribe the procedure for the compulsory acquisition of additional land that applies only where a person with an interest in the additional land does not consent to the inclusion of the provision.</p> <p>Notwithstanding that that there may be no person who has not consented to the inclusion of the Provision, please identify the most expeditious and clear way in which each proposed provision can be readily understood by the Examining Authority and stakeholders, for example by providing a supplement to the book of reference accompanied by a land plan or plans that identify the land required as additional land, or affected by the proposed provision.</p>
22.4	Applicant	What consequential changes to the Land Plans, Works Plans and other application documents, relevant to the compulsory acquisition provisions in the dDCO, are proposed to be submitted following any acceptance of the Change Report and when?

	Question to:	Question:
22.5	Applicant	The proposed change relating to the overhead tower search area is illustrated on Figure 7 of the Change Report. Paragraph 89 states that the changes fall within existing Order Limits but it appears from Figure 7 that land to the north-west of Work 11E (comprised within the construction access zone), which was previously excluded therefrom is now included. Please explain the position in regard to this.
22.6	Applicant	<p>Please provide updated information in relation to all outstanding objections to Compulsory Acquisition or temporary use of land in the form attached at Annex A to this document.</p> <p>Please ensure that this document is kept up to date as the Examination progresses.</p>
22.7	Applicant	<p>With regard to the ongoing negotiations to acquire, by agreement, all of the land, the temporary use of land and the rights required for the Project, please give an update on the current position in respect of:</p> <ul style="list-style-type: none"> (i) access to land; (ii) the status of negotiations with landowners and others affected by the project; and (iii) the current position in respect of the acquisition of the necessary land, rights over land and temporary use of land, either by agreement or otherwise.
22.8	Applicant	<p>The Statement of Reasons [APP-008] at paragraph 7.15 states that despite ongoing diligent enquiry, it has not been possible to identify all of the beneficiaries of the many third party interests in the Order lands but the Applicant will continue to attempt to identify the relevant interests where possible.</p> <p>What further steps are being taken to identify outstanding beneficiaries of third</p>

	Question to:	Question:
		party interests in the Order lands?
22.9	Applicant	In the event that such beneficiaries cannot be identified how does the Applicant intend to proceed? Please specify how reasonable enquiries will be made, explaining where the procedure may differ in relation to land to be compulsorily acquired; where new rights are to be acquired over land; and where temporary possession is taken of land.
22.10	Applicant	Are you in a position to identify the specific third party interests in Crown Land which are required to be compulsorily purchased? Has the dDCO been drafted to take account of the advice in Planning Act 2008: Guidance related to procedures for the compulsory acquisition of land, which is to the effect that certain Crown authorities may be unable to give general consents for compulsory purchase of interests in Crown land?
22.11	Applicant	Section 135 of Planning Act 2008 only permits the compulsory acquisition of interests held otherwise than by or on behalf of the Crown. Please confirm that you have excluded all interests owned by the Crown from the scope of Compulsory Acquisition by excluding them from the description of land in the Book of Reference
22.12	Applicant	Requirement 15 in the dDCO requires the Applicant to submit a written scheme detailing the stages of the authorised development onshore and as part of that scheme, to notify the relevant planning authority which single route (of the route options shown on Works Plans (2.4) and described in Work Nos. 7A to 7D) will be taken forward. Depending on what option is chosen, how and when would landowners know the extent of compulsory acquisition of their land and/or interests? Would the uncertainty imposed upon the landowners in question be justified and

	Question to:	Question:
		proportionate?
22.13	Land Interest Group (LIG)	<p>Savills (UK) Ltd (Savills) make several "Outline Representations" on behalf of "the National Farmers Union ("NFU") and the Vattenfall Agents (agents acting for NFU members and their clients on this project.) The agents represented are Savills, Strutt & Parker, Bidwells, Irelands, Brown & Co and Cruso & Wilkin (henceforth known as the Land Interest Group (LIG))"</p> <p>The LIG represents approximately 60 clients who own or lease land affected by the DCO. Has a full list of names and addresses been made available for each landowner or occupier for whom an outline representation has been submitted?</p> <p>Please provide a schedule that correlates specific issues highlighted in the representations by the business in question, to the relevant Plot numbers in the Book of Reference.</p>
22.14	National Trust	Do you maintain an objection to the compulsory acquisition of land owned by the Trust? [RR-191]
22.15	Network Rail	<p>Your comments in [RR-192] refer to Plot 10/04 which is acquired for the purpose of its statutory undertaking and you consider that there is no compelling case in the public interest for the acquisition of the Compulsory Powers and it cannot be concluded having regard to section 127 PA 2008, that new rights and restrictions over the railway land can be created without serious detriment to Network Rail's undertaking.</p> <p>Please explain the "serious detriment" to the undertaking and specify exactly what is being sought by agreement with the Applicant to regulate (i)the manner in which rights over Plot 10/04 or other railway land may be exercised; and</p>

	Question to:	Question:
		(ii) the carrying out of works in the vicinity of the operational railway network
22.16	Applicant	<p>The Statement of Reasons [APP-008] paragraph 8 states that the Applicant is currently negotiating the grant of the necessary interests by the National Trust and anticipates that this can be agreed before the start of the examination.</p> <p>Please provide an update.</p>
22.17	Applicant	<p>The Statement of Reasons [APP-008] at 8.22 states that the Applicant is seeking to agree protective provisions (the subject of Article 29 and Schedule 16) with the relevant undertakers in good time before the close of the examination. Please provide a timetable of engagement with the relevant undertakers with whom agreement of the protective provisions is outstanding.</p>
22.18	Applicant	<p>The Statement of Reasons [APP-008] at 8.24-5 states the Applicant will continue to negotiate a commercial agreement for the protection of Dudgeon "as soon as possible"</p> <p>Please provide an update on progress.</p>
22.19	Equinor	Does Equinor agree with the Applicant's assessment that it is unnecessary to replace the land over which rights are required for the Project and that the interest sought in land can be purchased and not replaced without serious detriment to the carrying on of Dudgeon's undertaking, and if not why not?
22.20	Applicant	<p>Paragraph 4.1 of the Funding Statement [APP-009] states that the total property cost estimates for the acquisition of the required interests in land should not exceed £10,143,000. However paragraphs 4.5 and 4.7 suggest that the cap is based on the likely level of compensation for the compulsory acquisition only of interests and blighted interests.</p> <p>Please clarify that the estimated cap specifically includes costs not just for</p>

	Question to:	Question:
		compulsory acquisition but compensation for temporary possession taken of land in the Order Limits.
22.21	Applicant	<p>Why is the estimated liability capped and what happens if the cap is exceeded?</p> <p>Paragraph 4.8 of the Funding Statement [APP-009] states that it is not expected that there will be any claims for blight.</p> <p>Please explain the basis for this statement providing full justification.</p>
22.22	Applicant	<p>"Upheld" blight claims due to the Application will be met by the Applicant.</p> <p>Please clarify what arrangements, if any, are in place with local authorities who would otherwise (and who may in any event retain) statutory responsibility in respect of claims.</p>
22.23	Applicant	Please confirm the position regarding acceptance of liability relating to any eventual service of a purchase notice which is upheld on the basis of a claim that no reasonably beneficial use can be made of the land due to the effects of the Project.
22.24	Applicant	Please supply Report and Accounts of Vattenfall Wind Power Limited (Company Number 06205750) (the Company) for year ending December 2017.
22.25	Applicant	<p>Para 4.6 of the Funding Statement [APP-009] states sufficient funding for payment of compensation will be available to the Applicant if compulsory acquisition powers are provided in the Order.</p> <p>Please explain how such funding will be made directly accessible to persons entitled to compensation.</p>
22.26	Applicant	Paragraph 7.7.9 of the Statement of Reasons [APP-008] states a 45 metre maximum working width of the cable route during construction is required, with

	Question to:	Question:
		<p>a 20 metre width being required permanently for the majority of the route.</p> <p>What level of confidence is there that all locations where extra width will be required, where construction processes or other reasons necessitate a wider permanent easement, have been identified?</p>
22.27	Applicant	<p>The Statement of Reasons [APP-008] at 7.7.57 states that the whole of Plot 41/31 is unlikely to be acquired freehold, but at this stage it must be scheduled as such to ensure that the Project can be constructed and maintained while accommodating detailed design work that will take place after agreements are finalised with Statoil or its successor OFTO.</p> <p>Please explain what steps are being taken to minimise uncertainty over the extent of compulsory acquisition sought and provide an update on negotiations with Statoil or its successor OFTO.</p>
22.28	Applicant	<p>The Statement of Reasons [APP-008] refers to Articles 25 and 26 in respect of temporary use of Order land. Article 26(1)(b) authorises the construction of temporary works and buildings.</p> <p>Bearing in mind the length of time during which such temporary works and buildings may be in place, do you envisage mitigation works being required in respect of temporary use of land for maintenance? If so, how would these be secured?</p>
22.29	Applicant	<p>Article 21 provides for private rights over land to cease to have effect subject to compulsory acquisition, or be suspended and temporarily unenforceable where the Project takes temporary possession of land. The Statement of Reasons at paragraph 10.3.9 states that the Applicant will take particular regard to those rights of access over which the Order lands cross and where possible maintain</p>

	Question to:	Question:
		access at all reasonable times. How and when would the undertaker decide whether existing private rights would continue?
22.30	Applicant	Is the drafting in Article 21 dDCO adequate to give effect to the intentions of the Applicant as expressed in the Statement of Reasons at paragraph 7.19, to give notice as appropriate to beneficiaries of rights that such rights will not be extinguished?
22.31	Applicant	Explain the proposed acquisition of plots for "cable logistics" and how this relates to the development comprised within the Project.
22.32	NNDC and NCC	Statement of Reasons at paragraph 8.7 states the Open Space Land comprises Plot numbers 01/04, 01/05, 01/06, 01/18, 01/20, 23/07 and 24/10 on the Land Plan and in the Book of Reference and forms part of the beach and foreshore at Happisburgh South and part of the Marriott's Way long distance path. Do you agree with the Applicant's understanding that this land being beach land (Plot numbers 01/04, 01/05, 01/06, 01/18, 01/20) does not prevent it from being open space. Is the land subject to the Open Spaces Act 1906 as amended?
22.33	Applicant	Section 132 provides that where an applicant for development consent seeks compulsory acquisition powers over open space land, the Order will be subject to Special Parliamentary Procedure unless the Secretary of State is satisfied among other matters that: (a) ... one of subsections (3) to (5) applies. Please confirm that none of the subsections apply other than subsection (3) or if not, why not?
22.34	Applicant	As to the Open Space (OS) land crossing the Marriott's Way, compulsory

	Question to:	Question:
		<p>acquisition of rights is sought to enter and use the OS Land for the purposes of installing the cables, fibre optic cables and ducts and for the repair, maintenance, renewal, replacement and removal of the apparatus once installed. At 8.13 of the Statement of Reasons, it states the Open Space Land "should" not be affected by the installation of the apparatus, and access "should" remain open throughout the construction period.</p> <p>In what circumstances might it become necessary to close access to the land and what arrangements will be made in that eventuality? Have the worst case scenarios been assessed and if so please identify where they have been assessed in the Application?</p>
22.35	Applicant	Please confirm that there is no Special Category of Land within the Order Limits other than the open space land referred to in the Book of Reference.
22.36	Applicant	<p>Schedule 3 lists details of public rights of way (PRoW) which it is proposed would be temporarily stopped up. These are shown on the Public Rights of Way Plan [APP-017]. Schedule 3 does not refer to diversions or identify alternative routes.</p> <p>What consideration has been given to providing a temporary diversion route for each of the lengths of PRoW to be stopped up, or to identifying existing alternative routes?</p> <p>Where diversions are to be put in place, how would the necessary rights be secured?</p>
22.37	Applicant	Paragraph 7.7.10 of the Statement of Reasons states the majority of the plots on the cable route contain an additional right to create an access to the public highway. This power will not be utilised unless difficulties prevent access from

	Question to:	Question:
		<p>being taken over the various permanent access routes to the cable easement contained in the Order, shown on the Land Plans shaded green.</p> <p>Explain what difficulties are envisaged that might arise and how they would prevent access being gained over the permanent access routes.</p>
22.38	Applicant	<p>In paragraph 7.7.12 of the Statement of Reasons it states that no right to break open the surface of the land will be sought in areas subject to trenchless crossing, even in an emergency, due to the sensitive nature of the infrastructure being crossed.</p> <p>How are these areas delineated on the Land plans and is a distinction made within such areas between land where the surface may not be broken and land on which vehicles, plant and equipment might nevertheless be moved and /or stationed?</p>
22.39	Applicant	<p>When will a decision be taken on how many converter stations are required? Depending on what option is chosen, what would the extent of compulsory acquisition be? How and when would landowners know the extent of compulsory acquisition of their land and/or interests? Would the uncertainty imposed upon the landowners in question be justified and proportionate?</p>
22.40	Applicant	<p>What consideration has been given to offering full access to alternative dispute resolution techniques for those with concerns about the compulsory acquisition of their land? Please comment on whether such techniques are appropriate to deploy for this project and if not, why not.</p>
23.	Habitats Regulations Assessment	
23.1	Applicant	<p>The Information for the HRA report [APP-045] states that approximately 1,200,000m³ of sediment would be released within the Haisborough, Hammond and Winterton SAC (HHW SAC) due to trenching operations for the offshore</p>

	Question to:	Question:
		export cables. However, the draft DMLs refer to 1,900,000 m ³ of material being disposed of within the HHW SAC. Can you please explain why a greater volume of material would be permitted to be disposed of than is anticipated to be released, and confirm whether you have assessed the effects of the volume of material permitted by the draft DMLs.
23.2	Applicant	Paragraph 662 of the Information for the HRA report [APP-045] states that there would only be one UXO detonated at a time during UXO clearance operations. Can you explain what measures would be in place in regard to concurrent UXO detonations taking place and how such measures would be secured within the dDCO?
23.3	NE	Please comment on whether the corrections made to the Greater Wash SPA citation would have any bearing on the Applicant's assessment.
23.4	Applicant	In regard to the Information for the HRA report [APP-045], for example paragraphs 40 and 47, please can you explain how in-combination effects have been assessed at the screening stage and provide clear justifications for the conclusions you have reached.
23.5	Applicant	Paragraph 50 of the Information for the HRA [APP-045] screened out a likely significant effect (LSE) of gannet displacement from the Flamborough and Filey Coast SPA. Please justify why you have not used a similar approach for gannet displacement as that which you have applied to auk cumulative displacement, and set out whether a LSE for gannet could be screened out should such a similar approach be undertaken.
23.6	Applicant	Please respond to NE's comment [RR-106] that it does not agree to no AEOI for the Greater Wash SPA and also its recommendation that the in-combination collision risk should be revisited once uncertainties around the CRM are resolved.
23.7	NE	Please set out the CRM methodology and data that you consider the Applicant should provide and use in order for you to be able to fully determine whether or

	Question to:	Question:
		not there would be no AEOI for the Greater Wash SPA.
23.8	Applicant	Please can you clarify whether or not any enabling works for Norfolk Boreas within the marine environment would be included within the dDCO for Norfolk Vanguard, and if so, whether these works have been assessed?
23.9	Applicant	To what extent have you given consideration to proposed developments outside UK territorial waters in undertaking the assessment of in-combination effects on European sites?
23.10	NE	In your RR [RR-106] you have advised that you cannot complete any in-combination assessment relating to marine mammal disturbance until the Review of Consents is completed. The Examining Authority (ExA) understands that the Department for Business, Energy and Industrial Strategy has published a draft HRA for consultation. Taking this into account, are you now able to provide further comment on potential impacts to marine mammals of the Southern North Sea cSAC?
23.11	MMO	Can you provide examples as to how a strategic approach to the scheduling of pile driving can best be delivered?
23.12	Applicant	Please respond to the comments made by NE and the MMO regarding in-combination impacts on the Southern North Sea cSAC.
23.13	NE	Can you confirm whether or not you agree with the European sites and features screened in by the Applicant, ie for which a LSE has been identified.
23.14	NE	Can you provide further details of your concerns with regard to the identification of a LSE for red-throated divers of the Outer Thames Estuary SPA, and please detail how you consider your concerns could be resolved by the Applicant.
23.15	Applicant and NE	Please provide comment on whether you consider that trenchless crossing (Appendix 5.2, paragraph 86) [APP-047], limited construction hours (Information for the HRA report, paragraph 102) [APP-045], mitigation for noise effects from piling and UXO clearance (Table 8.4) [APP-045] and micrositing to avoid

	Question to:	Question:
		permanent habitat loss (Information for the HRA report, paragraph 67) [APP-045] should be considered mitigation in light of the judgement in the People over Wind, Peter Sweetman v Coillte Teoranta case C-323/17.
23.16	Applicant	Please confirm the mechanism through which it will be ensured that seabed material would be retained within the HHW SAC.
23.17	Applicant	Please confirm whether the proposed buffer zone from <i>Sabellaria</i> reef, within which disposal of sediment would be restricted, is 100m (as indicated in paragraph 324 of the Information for the HRA report) or 50m (as indicated in paragraphs 432, 435, 470 and Table 7.4 of the Information for the HRA report)?
23.18	Applicant	In response to NE's concern about the scale of the buffer zone, please justify your proposed 100m/50m buffer zone, when an appropriate buffer zone for offshore designated sites is usually 500m.
23.19	Applicant	Please set out the mechanism through which the buffer zone will be secured in the dDCO.
23.20	Applicant	Can you confirm whether or not the measures detailed in paragraph 201 of the Information for the HRA report [APP-045], which you have suggested are necessary to offset in-combination collision mortality, are relied upon to reach your conclusion of no AEOI.
23.21	Applicant	In response to the concerns raised by NE regarding the potential impact of cable laying operations on red-throated divers of the Greater Wash SPA, are you willing to impose restrictions on the timing of cable laying operations and, if so, please set out how these restrictions could be secured in the dDCO.
23.22	NE, MMO, TWT and WDC	The Applicant has proposed a number of mitigation measures within the draft Marine Mammal Mitigation Protocol [APP-037], and the Draft SNS cSAC Site Integrity Plan [APP-041], and it has also proposed that a Marine Pollution Contingency Plan be produced post-consent. The successful delivery of these plans is relied upon for concluding no AEOI, and yet there remains some doubt

	Question to:	Question:
		about the nature and efficacy of some of the proposed measures. Therefore can you please confirm to what extent you are satisfied that the measures referred to in these plans are sufficiently well-defined and deliverable?
23.23	Applicant	Please respond to NE's assertion in its RR [RR-106] that adopting a condition to prevent piling if 20% of the SAC is at risk of disturbance would not be sufficient to be Habitats Regulations compliant.
23.24	NE, MMO and WDC	In regard to the Applicant's proposed MMMP for UXO clearance, please indicate the degree of confidence you have in the efficacy of mitigation measures that are yet to be defined.
23.25	NE	Do you agree that an AEOI can be ruled out for any of the features of any of the European sites for which a LSE has been identified?
23.26	Applicant	Can you provide reasons to explain and demonstrate why, having regard to the precautionary principle, your PVA approach as described in the ES and HRA is sufficient to support a finding of no AEOI, and how your approach has overcome the issues identified by NE in this regard.
23.27	NE	Can you set out the extent to which you consider it necessary for your advocated PVA approach to be implemented by the Applicant, and also provide your views on how the approach you advocate may affect the Applicant's findings of no AEOI for the species and sites concerned.
23.28	Applicant	Please specify the extent to which you are willing to undertake the PVA, taking into account the factors requested by NE.
23.29	NE	As your RR [RR-106] did not make any mention of the Humber Estuary SAC, The Wash and North Norfolk Coast SAC or Winterton-Horsey Dunes SAC, please can you confirm whether or not you concur with the Applicant's assessment of no AEOI for these sites. If you do not agree, then please set out your specific areas of disagreement.
23.30	NE	Do you have any comments to make on the Applicant's screening and integrity

	Question to:	Question:
		matrices submitted in the Applicant's Response to Section 51 Advice from the Planning Inspectorate [AS-006].
23.31	Applicant	Can you update the integrity matrices to include specific paragraph references from the Information to Support HRA report [APP-045] which support the conclusions you have reached. The matrices should also explain how the mitigation measures you propose are to be secured.
23.32	Applicant	Please respond to the comments made in the Regulation 32 consultation response from the French Ministry, and in particular justify why you did not identify the Bancs des Flandres SPA and the Cap Gris-Nez SPA in regard to cumulative impact assessment.
23.33	French Ministry	Can you please identify which European sites within your jurisdiction you consider there could be a LSE from the proposed development, and set out your reasoning with full justification.
23.34	NE and RSPB	In terms of the seasonal apportioning of impacts for the Alde-Ore Estuary SPA and Ramsar site, what figure do you consider should be applied to lesser black-backed gulls?
23.35	Applicant	Please provide evidence to justify the approach you have taken in regard to the apportioning of impacts for lesser black-backed gulls at the Alde-Ore Estuary SPA.
23.36	Applicant	Having regard to Flamborough and Filey Coast SPA can you explain why the very low presence of breeding birds means that you consider it appropriate to define the breeding season as the migration free breeding period and how this accords with the precautionary principle. What would the difference in the outcome of the assessment of impacts to gannet be if the breeding season as presented in Furness (2015) was used rather than the migration-free period?
23.37	RSPB	What value do you suggest should be apportioned to kittiwake breeding season apportioning in relation to the Flamborough and Filey Coast SPA?

	Question to:	Question:
23.38	Applicant	Can you set out what the differences would be in the outcome of the assessment of collision risk to gannet and kittiwake of the Flamborough and Filey Coast SPA if the nocturnal activity rates as advised by NE and RSPB are utilised?
23.39	Applicant	Please respond to the comments NE has made in its RR [RR-106] in regard to the in-combination displacement of auks utilising a range of mortality rates. If you conclude that there would be a LSE can you update the Greater Wash SPA integrity matrix to include this figure.
23.40	NE	Can you please provide reasons in support of your statement that you cannot rule out an AEOI on auks at Flamborough and Filey Coast SPA, and confirm which impacts this would be in relation to.
23.41	NE	Can you explain why you do not agree with the Applicant's approach in the Information for the HRA report [APP-045] in which a LSE for common scoter is screened out for the Greater Wash SPA.
23.42	Applicant	Please confirm whether or not you concur with NE's views in relation to common scoter, and if so, please update the Greater Wash integrity matrix to include this feature.
23.43	NE	In relation to red-throated diver for the Outer Thames Estuary SPA, please clarify whether all of the concerns noted in section 4.2.6 of your RR [RR-106] apply or just the concern with regard to vessel movements.
23.44	Applicant	Please clarify what Biologically Defined Minimum Population Scales (BDMPS) figure has been used in the non-breeding apportionment of gannets to the Flamborough and Filey Coast SPA.
23.45	Applicant	In relation to the in-combination assessment with the Hornsea 3 and Thanet Offshore Wind Farm projects, please set out how you intend to monitor the progress of these examinations and update your in-combination assessment as and when relevant information from these other examinations becomes available?

	Question to:	Question:
23.46	Applicant	Please provide a detailed consideration of the specific features of the HHW SAC that could be impacted, both alone or in-combination with other relevant plans or projects, as a result of the various types of cable protection.
23.47	MMO, NE, WDC, TWT	In light of the information contained in the Change Report [AS-009], and in particular the amended proposal for up to 36 piles in total for the two offshore electrical platforms and an increase in the diameter of the pin piles from 3m to 5m, please confirm whether you concur with the findings contained in the ES and the Change Report.
23.48	Applicant Natural England	Confirm the extent to which you consider the HRA report is legally compliant in light of the judgment in People over Wind, Peter Sweetman v Coillte Teoranta Case C-323/17.
23.49	Applicant Natural England	<p>Appendix 5.2 of the HRA Report screened out likely significant effects at Broadland SPA and Ramsar site on the basis of low numbers of wintering birds but, NE (Appendix 4 #12) [RR-106] suggests that the low numbers were due to the cropping regime at the time of the survey.</p> <p>(i) Please comment on the feasibility of conducting further surveys to optimise the accuracy of numbers of wintering birds by the time the examination closes.</p> <p>(ii) What would 'suitable mitigation measures' comprise and how would they be secured?</p> <p>(iii) If no additional measures were to be implemented, can NE confirm whether it agrees with the Applicant's conclusion of no LSE at Broadland SPA and Ramsar site?</p> <p>(iv) If the answer to (iii) is no, the ExA is mindful of the need to consider the Sweetman judgement which stipulates that mitigation should not be taken into account at the screening stage. As such, does NE suggest that there would be a LSE on the Broadland SPA and Ramsar site? If this is the case, for which features and which potential impacts? Is NE content that there would be no</p>

	Question to:	Question:
		adverse effect on integrity?
23.50	Natural England	Do you consider there are potential likely significant effects for non-seabird migrants of Broadland and Breydon SPA and North Norfolk Coast SPA? If so, for which qualifying features and which potential impacts?
23.51	Applicant	<p>NE (Appendix 1 #4.3) [RR-106] points out there are qualifying species in the 'shadow' of the Vanguard sites – particularly Broadland and Breydon SPA and potentially North Norfolk Coast SPA. With reference to the collision assessment for migrant non-seabirds referred to in paragraphs 393 and 357 of ES Chapter 13 (Offshore Ornithology):</p> <p>Please comment on the extent to which migration modelling and CRM for Bewick's swan and avocet is required and whether the CRM for species modelled at the East Anglia THREE offshore windfarm project should be updated using Norfolk Vanguard turbine specifications and site location information?</p>
23.52	Applicant	The Applicant is requested to revisit its in-combination assessment for the River Wensum SAC, Norfolk Valley Fens SAC and The Broads SAC and provide greater justification for a finding of no in combination effects, with reference to NE's Relevant Representations (4.5.11) suggesting that an 'in combination' assessment with Hornsea 3 OWF should also be undertaken as this cable route passes about 360m to east of Booton Common and construction periods may overlap.
23.53	Natural England	<p>Please clarify whether Likely Significant Effects (LSE) should be identified for Wash and North Norfolk Coast SAC, Winterton-Hersey Dunes SAC and Humber Estuary SAC and if so why?</p> <p>Confirm otherwise whether you agree with the onshore European sites and features screened in by the Applicant for which a LSE has been identified?</p>

	Question to:	Question:
23.54	Applicant	Explain the apparent discrepancy between the LSE identified in the screening matrix [AS-006] for Norfolk Valley Fens SAC for narrow-mouthed whorl snail (Disturbance due to groundwater / hydrology changes within 5km and Impacts from changing air quality within 5km), and the omission of this feature from the integrity matrix.
23.55	Applicant	<p>Construction hours are secured through Requirement 26 of the draft DCO and detailed in para 38 of the outline Code of Construction Practice (CoCP). Exceptions apply for 'essential and non-intrusive activities' which include concrete pouring, drilling and pulling cables, trenchless installation techniques and works at the landfall. Paston Great Barn SAC is 2.9km from the onshore project area and the Information for the HRA report (para 101) [APP-045] confirms that the colony uses six areas within the onshore project area as foraging routes.</p> <p>Explain whether the activities exempted from the construction hours would be likely to impact upon Barbastelle bats from the Paston Great Barn SAC.</p>
23.56	Natural England	Please provide further clarification in relation to your RR (para 4.5.12) [RR-106]. In particular why, in relation to Norfolk Valley Fens SAC, should horizontal directional drilling be required for the watercourses which feed into Blackwater Drain, given that [RR-106] Appendix 4 para 90 states the qualifying features of the SAC at Booton Common are water sensitive habitats reliant on the groundwater supply and not surface water from the Blackwater Drain?
23.57	Applicant	Please revisit the possibility of HDD method for Blackwater Drain in light of NE's comments.
23.58	Natural England	Clarify what further detail in the outline Code of Construction Practice [APP-025] you consider necessary in relation to sediment control and reinstatement of work

	Question to:	Question:
		areas to safeguard designated sites, specifying the measures for each site where further detail is considered to be required,
23.59	Applicant	Please review the outline CoCP [APP-025] and comment on whether this should be updated with regard to sediment control and reinstatement of work areas to safeguard designated sites, and if so how.
23.60	Applicant	NE suggests (para 4.5.7) [RR-106] a requirement for a mitigation plan to be developed and agreed with NE prior to the removal of hedgerows, which should be in place for 7 years or until the hedgerow has satisfactorily recovered. Do you agree to this suggestion and if not why not?
23.61	Natural England	In [RR-106] you state that you do not agree that adverse effects on integrity (AEOI) can be excluded for any of the sites assessed by the applicant. Do you agree that an AEOI can be ruled out for any of the features of any of the onshore European sites for which a LSE has been identified?
23.62	Natural England	Confirm whether your concerns relating to Norfolk Valley Fens SAC and the Broads SAC and Ramsar apply to all features?
23.63	Applicant	Paragraph 1162 of the Information for the HRA report [APP-045] states that a pre-construction botanical survey of the northern floodplain habitat of the River Wensum would be conducted. This is not included within the Outline Landscape and Ecological Management Strategy [APP- 031]. Confirm how the pre-construction surveys would be secured in the dDCO and/or what changes to the OLEMS should be made.
24.	Onshore Ecology	
24.1	Applicant	NE has raised a number of concerns in Appendix 4 of [RR-106] relating to terrestrial ecology. Please respond, with particular regard to the comments made

	Question to:	Question:
		in relation to (i) SSSIs where NPS EN-1 states that development consent should not normally be granted where development is likely to have an adverse effect on a SSSI; (ii) Protected species; and (ii) Habitats.
24.2	Applicant	Please address the comments raised about discrepancies between dDCO parameters presented in the ES referred to in NE Appendix 5 [RR-106] and the MMO RR [RR-186].
24.3	Natural England	<p>Significant limitations to the onshore ecological surveys are identified in Paragraphs 82-83 of Chapter 22 ES –APP-347] due to landowner access not being possible for the entire onshore project area. A precautionary approach is said to be adopted where survey data is not available.</p> <p>Please confirm that, notwithstanding your comments on the River Wensum, Norfolk Valley Fens and The Broads SACs, you are satisfied that the Applicant’s ecological assessment has been undertaken in a sufficiently precautionary manner and that appropriate mitigation has been developed and secured.</p>
24.4	Applicant	Confirm that the final Project Environmental Management Plan is to be based on the Outline Project Environmental Management Plan (OPEM) provided at Document 8.14 [APP-038] and detail how you propose to deal with uncertainty as to whether the assessment in the final plan would result in effects of greater significance than have been assessed in the OPEM.
24.5	Applicant	Confirm, in respect of Table 34.15 Potential impacts identified for onshore ecology [APP-358] , whether you consider that adverse impacts could be mitigated further or provide a robust justification as to why this is not possible.
24.6	Applicant	Provide an update on discussions with NE regarding monitoring measures to be relied upon and what corrective action it is envisaged would be taken in the event of an outcome during monitoring that is worse than anticipated.
24.7	Applicant	Table 23.3 in ES Chapter 23, Onshore Ornithology, [APP-347] refers to further

	Question to:	Question:
		<p>sites identified by Natural England that should be considered, to include Cawston and Marsham Heaths, Foxley Wood, Honeypot Wood and Beetley and Hoe Meadows SSSIs designated as representative of rare habitats.</p> <p>You confirm in the table that these sites have been considered in sections 23.7 and 23.8 of the ES [APP-347], but this does not appear to be the case. Please clarify and explain how effects to these sites have been or will be considered and specify the information contained within the ES in this regard.</p>
24.8	Applicant	<p>Table 23.13 in ES Chapter 23 [APP-347] is divided into two parts and contains inconsistencies. Certain habitat types are duplicated in the first part of the table, and repeated in the second part of the table but with different hectare values. The second part of the table contains an additional column not present in the first.</p> <p>Explain these apparent discrepancies, confirming what are the appropriate values for each habitat type and explaining to what extent this may affect the findings in the ES?</p>
24.9	Natural England	Confirm, in light of your comments at Appendix 4, point 14 of your RR [RR-106] whether you agree with the Applicant's assessment of residual significance in the onshore ornithology chapter and, if not, why not?
24.10	Applicant	Natural England's RR [RR-106] Appendix 4, point 13 states that no detailed assessment of noise on bird features appears to have been carried out, and advises that a detailed noise assessment is carried out for sites within 500m of the project area and mitigation provided for any impacts identified, or evidence provided to demonstrate that there will be no additional noise experienced from construction at the designated site boundary.

	Question to:	Question:
		Please comment on this advice and confirm whether, and if so how these issues will be addressed.
24.11	Applicant	<p>The Overarching National Policy Statement for Energy aims to secure a halting, and if possible a reversal, of decline in priority habitats and species.</p> <p>Confirm that whilst priority habitats are presented in ES Chapter 23, no such bird species have been identified.</p>
24.12	Applicant	<p>ES Chapter 6: EIA Methodology [APP-330] states that a Rochdale Envelope approach has been applied, and the parameters of the Proposed Development provided represent the worst-case scenario</p> <p>Having regard to the design parameters and assumptions used to inform the worst case assessment, explain how and to what extent the dDCO constrains the Proposed Development to ensure that effects greater than those assessed will not occur?</p>
24.13	Applicant	<p>Study areas not surveyed would be subject to surveys post-consent, as noted in the Outline Landscape Ecological Management Strategy OLEMS [APP-031].</p> <p>Justify the robustness of your approach to address gaps in survey information, importantly those that relate to notable species, also explaining, in the absence of such information, how the worst case scenario used for the assessment has been established and the extent to which it is appropriately robust.</p>
24.14	Applicant	<p>Explain how you propose to undertake future surveys of land not previously accessed, detailing methods applicable to land that is deemed inaccessible due to physical constraints, not subject to landowners' consent, or not previously surveyed for any other reason. Please explain how this will be secured in the dDCO.</p>

	Question to:	Question:
24.15	Natural England	Comment on the Applicant's approach to the assessment in light of the gaps to surveys identified.
24.16	Applicant	Explain, having regard to (i) Natural England's comments at [APP-106] Appendix 4, point 15 and (ii) the Environment Agency's [RR-117] comments at paragraph 5.1 regarding sand martin: The extent to which impacts to sand martin, particularly in relation to noise and vibration, have been assessed, and specify where this information is presented in the ES.
24.17	Applicant	Confirm whether it will be possible to avoid construction during the sand martin breeding season, as requested by Natural England. If not, then specify what additional mitigation measures you propose in regard to sand martins.
24.18	Applicant	Confirm, having regard to Natural England's comments at [RR-106] Appendix 4, point 16, that nesting birds will be added to the protected species in paragraph 230 of the OLEMS such that works would stop immediately if nesting birds are found during construction. Does the OLEMS/ Requirement 24 make adequate provision for a survey for nesting birds (and other species) prior to construction by a qualified ecologist to be carried out? If not, then how will the presence or absence of nesting birds and other species be established?
24.19	Applicant	With regard to the monitoring envisaged as noted in Section 23.7.3 of the ES to be agreed with relevant stakeholders and included within the Code of Construction Practice and Ecological Management Plan prior to construction works commencing, provide further information as to the monitoring envisaged, how this is to be secured and how it will influence the Proposed Development in terms of corrective actions as a result of monitoring data. For example, is there to be a pre-construction survey undertaken by a qualified ecologist, and is an ecological clerk of works proposed?

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