

13 March 2019

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Our ref:  
VJR2/JT8/47583.46  
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Dear Sirs

**Norfolk Vanguard Offshore Wind Farm Development Consent Order (DCO) (the Project)**  
**Case reference no: EN010079**  
**The Applicant: Norfolk Vanguard Limited**

**Deadline 4 Submissions**

We write further to the Planning Inspectorate's Rule 8 letter dated 19 December 2019 (the **Rule 8 letter**). In accordance with the deadlines at Annex A of the Rule 8 letter, we enclose the following in response to Deadline 4:

1. Response to the ExA's Further Written Questions
2. Revised draft DCO (clean and tracked change versions) from the Applicant alongside a DCO changes tracker and a revised draft Explanatory Memorandum (clean and tracked change versions)
3. Updated Statements of Common Ground (SoCGs)
4. Updated Statement of Commonality of SoCGs
5. Applicant's updated Guide to the Application
6. Responses to further information requested by the ExA

The Applicant refers the Examining Authority (**ExA**) to the Guide to the Application (Document Reference 1.4 (Version 5)) for a full list of documents submitted by the Applicant as part of Deadline 4.

**Action Points**

Pursuant to Action Point 1 from Issue Specific Hearing 2 - Offshore Environmental Matters published on 8 February 2019, the ExA requested the Applicant to provide further information regarding collision risk modelling and displacement by Deadline 4. In this respect, the Applicant can report that a non-seabird migrant collision risk assessment was undertaken and submitted at Deadline 3 (Norfolk Vanguard Offshore Wind Farm, Migrant non-seabird Collision Risk Modelling, document reference: ExA; AS; 10.D3.6). With respect to displacement, the Applicant has given consideration to Natural England's and

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the RSPB's responses to documents submitted by the Applicant at Deadline 1. Natural England has confirmed that they agree with the Applicant's conclusions. On the basis of the updated assessments provided it was agreed by Natural England that, with respect to the project alone impact assessment, all the issues raised by Natural England had been resolved. It was also agreed that, with the exception of Natural England's preferred worst case scenario for red-throated diver operational displacement (100% displacement and 10% mortality from Norfolk Vanguard West, and combined displacement from both Norfolk Vanguard East and Norfolk Vanguard West), none of the project alone impacts are significant (in EIA terms). Natural England also noted that because some of the displacement estimates for wind farms included in the cumulative displacement assessment are potentially subject to ongoing revisions (e.g. Hornsea Project THREE and Thanet Extension Project ) and others have alternatives which Natural England prefer (e.g. Consented Seagreen Alpha and Bravo instead of amended applications submitted in 2018) they are currently unable to reach conclusions on the cumulative assessment. The Applicant discussed these aspects with Natural England during a call on the 8 March 2019; the Applicant has agreed to submit a revised cumulative assessment, which addresses as many of these points as possible (e.g. Hornsea Project THREE and Thanet Extension figures remains uncertain), at Deadline 6.

A joint position statement with Natural England summarising the status of outstanding issues with Natural England has been provided by the Applicant at Deadline 4 (ExA; AS; 10.D4.8).

Other Action Points from the ISHs requested for Deadline 4 have been provided and The Applicant refers the ExA to the Guide to the Application (Document Reference 1.4 (Version 5)) for a full list of documents submitted by the Applicant as part of Deadline 4.

### **Offshore Works Plans**

Document 2.4, the Works Plan (Offshore) has been amended to reflect that Work No. 4A (*"up to four subsea export cables and fibre optic cables between Work No. 2 and Work No. 4B consisting of subsea cables and fibre optic cables along routes within the Order limits seaward of MLWS including one or more offshore cable crossings"*) should extend into the Offshore Wind Farm sites in accordance with the impacts assessed in the Environmental Statement (document 6.1). This is because Work No.2 (*"up to two offshore electrical platforms fixed to the seabed within the area shown on the works plan by one of the following foundation types: jacket (piled or suction caisson) or gravity base"*) could be located anywhere within the Offshore Wind Farm sites.

### **Statement of Common Ground (SoCGs)**

The Applicant has progressed matters with stakeholders in relation to SoCGs. The Applicant has submitted revised drafts of SoCGs to stakeholders where appropriate but, in some instances, the Applicant has not received comments back from stakeholders; where this is the case the Applicant considers that it might assist the Examining Authority to see an updated version of the SoCG from the Applicant's perspective. Therefore, some of the SoCGs submitted at Deadline 4 are yet to be agreed and signed by stakeholders.

Consultation between the Applicant and some stakeholders (such as the National Federation of Fishermen's Organisations, National Grid, NATS En-Route Safeguarding, the Ministry of Defence and the Royal Society for the Protection of Birds) is on-going and, whilst good progress is being made, the Applicant considers that it would be worthwhile finalising these discussions and then submitting an agreed form of the SoCG at Deadline 5.

The Applicant has outlined this approach further within the Statement of Commonality (document reference: ExA; Commonality; 10.D1.4 (version 2)).

### **Minor Change Request**

As the Applicant explained at Issue Specific Hearing 1 and through the subsequent written summary of the Applicant's oral case (document reference: ExA; ISH; 10.D3.1), National Grid have requested that the acquisition of permanent land rights for Work No.11A in the DCO (the overhead line modification and associated limits of deviation) is extended beyond the overhead line modification area associated with Work No.11A to cover the remainder of the overhead line crossing the affected landowner's land holding. The Applicant has consulted with the affected landowner in order to obtain consent to this change. An

explanation of the change along with a copy of the consent letter is outlined in document reference: ExA; ISH1; 10.D4.1.

### **Comments on D3 submissions**

The Applicant continues to monitor submissions to the Planning Inspectorate website throughout the examination. The Applicant has provided the Applicant's responses to submissions by Interested Parties at Deadline 3 of the Norfolk Vanguard Examination (ExA; Comments; 10.D4.7) at Deadline 4. The Applicant notes, however, that the majority of these submissions are addressed either through updated SoCGs as submitted at Deadline 4, or they relate to issues which the Applicant feels they have already addressed through previous submissions and/or through the Applicant's oral case at relevant Issue Specific Hearings. This document therefore focusses only on those issues which have not previously been addressed or are not covered through other submissions.

We would be grateful if you could kindly confirm safe receipt.

Yours faithfully

**Womble Bond Dickinson (UK) LLP**