

Norfolk Vanguard Offshore Wind Farm Applicant's Statement of Commonality of Statements of Common Ground

Applicant: Norfolk Vanguard Limited
Document Reference: ExA; Commonality; 10.D1.4 (version 5)
Deadline 8

Version 5
Date: 30 May 2019
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Photo: Kentish Flats Offshore Wind Farm



Date	Issue No.	Remarks / Reason for Issue	Author	Checked	Approved
14/12/2018	01D	First draft for Norfolk Vanguard Ltd review	BT	GK	GK
15/01/2019	02D	Second draft	BT	GK/JA	GK
16/01/2019	03D	Final for Deadline 1	BT	GK/JA	GK
13/03/2019	04D	Update for Deadline 4	BT	GK/JA	GK
20/03/2019	05D	Update for Deadline 5	BT	GK/JA	GK
02/05/2019	06D	Update for Deadline 7	BT	GK	RS
30/05/2019	07D	Update for Deadline 8	BT	GK	RS

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1 INTRODUCTION

1.1 Project Background

1. Norfolk Vanguard Limited ('the Applicant', an affiliate company of Vattenfall Wind Power Limited (VWPL)) is seeking a Development Consent Order (DCO) for Norfolk Vanguard, an offshore wind farm in the southern North Sea.

1.2 Purpose of the Statement of Commonality

2. This document (version 5) is provided by the Applicant as requested by the Examining Authority in the Rule 8 letter. The Statement of Commonality provides the Examining Authority with an overview of the position of each Statement of Common Ground (SoCG) between the Applicant and the interested parties in relation to Norfolk Vanguard.
3. Throughout the Environmental Impact Assessment (EIA), an Evidence Plan Process (EPP) was undertaken which provided a framework for consultation with the relevant stakeholders. Each SoCG reflects discussions throughout the EPP and pre-submission consultation where appropriate, as well as ongoing post submission consultation, where applicable.

1.2.1 Structure

4. This report is structured as follows:
 - Section 2 Summary of commonality of each topic covered – provides an overview of all topics covered and each stakeholder's current position.
 - Section 3 Tables of commonality – this provides further detail on the aspects of each topic that are covered by the SoCG and each stakeholder's current position.

1.3 List of Statements of Common Ground

5. Table 1 provides the list of SoCG that have been prepared for Norfolk Vanguard in accordance with the list of SoCG requested by the Planning Inspectorate in the Rule 8 letter. In addition to the list requested by the Planning Inspectorate, the Applicant has opted to produce the following additional SoCG:
 - Happisburgh Parish Council

1.4 Summary of Current Position

6. The SoCGs submitted at Deadline 8 reflect the final positions of the Applicant and stakeholders where possible.
7. It is recognised that final SoCGs were requested at Deadline 8 by the Planning Inspectorate in the Rule 8 Letter, however discussions between the Applicant and a number stakeholders are ongoing, and it is considered that there is merit in continuing these discussions with the aim of further progressing matters not agreed before the end of the examination. Where this is the case, final SoCGs will be provided at Deadline 9, alongside the finalised Statement of Commonality.
8. Table 1 provides an overview of the status of each SoCG throughout the examination.

Table 1 Status of SoCGs at Deadline 5

Party	Position at Deadline 1	Position at Deadline 4	Position at Deadline 5	Position at Deadline 7	Position at Deadline 8
Anglian Water Service Ltd	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	As per Deadline 4	Final SoCG submitted
Breckland Council	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	As per Deadline 4	Final SoCG submitted
Broadland District Council	Draft produced by the Applicant. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	As per Deadline 4	Discussions ongoing. Final SoCG to be submitted at Deadline 9.
Cadent Gas Limited	Draft agreed for submission. Discussions ongoing	Updated draft produced by the Applicant. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 5	Final SoCG submitted
East Anglia THREE Limited (EATL)	Draft agreed for submission.	SoCG agreed.	No further updates	No further updates	No further updates
Eastern Inshore Fisheries Conservation Agency (IFCA)	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	As per Deadline 4	Final SoCG submitted
Environment Agency	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	As per Deadline 4	Discussions ongoing. Final SoCG to be submitted at Deadline 9.
Happisburgh Parish Council	Draft in progress	Draft produced by the Applicant. Discussions ongoing	As per Deadline 4	As per Deadline 4	Discussions ongoing. Final SoCG to be submitted at Deadline 9.
Highways England	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	As per Deadline 4	Final SoCG submitted
Historic England	Draft produced by the Applicant. Discussions ongoing	Updated draft produced by the Applicant with input from Historic England	As per Deadline 4	As per Deadline 4	Final SoCG submitted
Marine Management Organisation (MMO)	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	Draft agreed for submission. Discussions ongoing	Discussions ongoing. Final SoCG to be submitted at Deadline 9.
Maritime and Coastguard Agency (MCA)	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	Draft agreed for submission. Discussions ongoing	Discussions ongoing. Final SoCG to be submitted at Deadline 9.
Ministry of Defence (MOD)	Draft agreed for submission. Discussions ongoing	Discussions ongoing, to be submitted at Deadline 5.	SoCG agreed.	No further updates	No further updates
National Farmers Union (NFU)	Draft produced by the Applicant. Discussions ongoing	Updated draft produced by the Applicant. Discussions ongoing	As per Deadline 4	As per Deadline 4	Discussions ongoing. Final SoCG to be submitted at Deadline 9.
National Federation of Fishermen's Organisations (NFFO)	Draft agreed for submission. Discussions ongoing	Discussions ongoing, to be submitted at Deadline 5.	Draft agreed for submission. Discussions ongoing	As per Deadline 5	Final SoCG submitted
National Grid	Draft agreed for submission. Discussions ongoing	Discussions ongoing, to be submitted at Deadline 5.	Draft agreed for submission. Discussions ongoing	As per Deadline 5	Final SoCG submitted
NATS En-Route Safeguarding (NATS)	Draft produced by the Applicant. Discussions ongoing	Discussions ongoing, to be submitted at Deadline 5.	Discussions ongoing, to be submitted at Deadline 6.	As per Deadline 1	NATS Position Statement submitted at Deadline 8 (document reference ExA; AS; 10.D8.18)
Natural England	Draft agreed for submission. Discussions ongoing	The Applicant has submitted a joint position statement with Natural England. Document Reference: ExA; AS; 10.D4.8	Draft agreed for submission. Discussions ongoing	The Applicant has submitted a position statement regarding outstanding matters with Natural England. Document Reference: ExA; AS; 10.D7.22	Discussions ongoing. Final SoCG to be submitted at Deadline 9. Natural England Position Statement at Deadline 8 (document reference ExA; AS; 10.D8.17)
Network Rail Infrastructure Limited	Draft agreed for submission. Discussions ongoing	Updated draft produced by the Applicant.	As per Deadline 4	As per Deadline 4	Network Rail Position Statement submitted at Deadline 8 (document reference ExA; AS; 10.D8.13)
Norfolk County Council	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	As per Deadline 4	Discussions ongoing. Final SoCG to be submitted at Deadline 9.

Party	Position at Deadline 1	Position at Deadline 4	Position at Deadline 5	Position at Deadline 7	Position at Deadline 8
North Norfolk District Council	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing.	As per Deadline 4	As per Deadline 4	Discussions ongoing. Final SoCG to be submitted at Deadline 9.
Orsted Hornsea Project Three	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing.	As per Deadline 4	SoCG agreed.	No further updates
Oulton Parish Council	Draft produced by the Applicant. Discussions ongoing	No updates to be submitted. Meeting scheduled 27/03/2018	As per Deadline 4	As per Deadline 1	Oulton Parish Council Position Statement submitted at Deadline 8 (document reference ExA; AS; 10.D8.19)
Royal Society for the Protection of Birds (RSPB)	Draft agreed for submission. Discussions ongoing	Discussions ongoing, to be submitted at Deadline 5.	Draft agreed for submission. Discussions ongoing	As per Deadline 5	Final SoCG submitted
Royal Yachting Association (RYA)	SoCG agreed.	No further updates	No further updates	No further updates	No further updates
Trinity House	Draft agreed for submission. Discussions ongoing	Draft agreed for submission. Discussions ongoing	As per Deadline 4	Draft agreed for submission. Discussions ongoing	Final SoCG submitted
Whale and Dolphin Conservation (WDC)	Draft agreed for submission. Discussions ongoing	No updates to be submitted.	As per Deadline 4	As per Deadline 4	Final SoCG submitted
The Wildlife Trusts	Draft agreed for submission. Discussions ongoing	No updates to be submitted.	As per Deadline 4	As per Deadline 4	Final SoCG submitted

2 SUMMARY OF COMMONALITY OF EACH TOPIC COVERED

9. This section provides a summary of the topics covered in each of the SoCG and shows where there is commonality in the topics or matters being discussed with the stakeholders.
10. Table 2 presents a summary of commonality at Deadline 8, on each of the topics discussed between the Applicant and the stakeholder using the following colour code.





	Matter agreed
	Matter requires further discussion
	Matter not agreed
	Topic not relevant to the stakeholder

Table 2 Summary of Commonality with each stakeholder in relation to each topic covered

Party	Marine Water and Sediment Quality	Marine Geology, Oceanography and Processes	Benthic and Intertidal ecology	Fish and Shellfish Ecology	Marine Mammals	Offshore Ornithology	Commercial Fisheries	Shipping and Navigation	Aviation and Radar	Offshore Archaeology and Cultural Heritage	Ground Conditions and Contamination	Onshore Ecology	Onshore Ornithology	Water Resources and Flood Risk	Human Health	Land Use and Agriculture	Traffic and Transport	Noise and vibration	Air Quality	Onshore Archaeology and Cultural Heritage	Landscape and Visual Impact	Tourism, recreation and socio-economics	Methodology for co-operation	Operations of statutory undertakers
Anglian Water																								
Breckland Council																								
Broadland DC																								
Cadent Gas Ltd																								
EATL																								
Eastern IFCA																								
Environment Agency																								
Happisburgh PC																								
Highways England																								
Historic England																								
MMO																								
MCA																								
MOD																								
NATS																								
National Grid																								
Natural England																								

Party	Marine Water and Sediment Quality	Marine Geology, Oceanography and Processes	Benthic and Intertidal ecology	Fish and Shellfish Ecology	Marine Mammals	Offshore Ornithology	Commercial Fisheries	Shipping and Navigation	Aviation and Radar	Offshore Archaeology and Cultural Heritage	Ground Conditions and Contamination	Onshore Ecology	Onshore Ornithology	Water Resources and Flood Risk	Human Health	Land Use and Agriculture	Traffic and Transport	Noise and vibration	Air Quality	Onshore Archaeology and Cultural Heritage	Landscape and Visual Impact	Tourism, recreation and socio-economics	Methodology for co-operation	Operations of statutory undertakers		
Network Rail																										
NCC																										
NFFO																										
NFU																										
NNDC																										
Orsted																										
RSPB																										
RYA																										
Trinity House																										
The Wildlife Trusts																										
WDC																										

3 TABLES OF COMMONALITY

3.1 Structure of SoCGs

11. The SoCGs identify matters on which parties agree and document the position of each party where agreement has not been reached.
12. Where applicable, and to ensure consistency in the approach taken to documenting matters agreed, matters subject to further negotiation or matters not agreed, each SoCG follows a standard format in order to provide clarity to other parties and the Examining Authority.
13. Each SoCG with EPP Stakeholders covers the following topics:
 - Environmental Impact Assessment
 - Existing Environment
 - Assessment Methodology
 - Assessment Findings
 - Cumulative Impact Assessment
 - Habitats Regulations Assessment (HRA) (where applicable)
 - Screening of Likely Significant Effect (LSE)
 - Assessment of Adverse Effect on Integrity (AEoI)
 - Mitigation and Management
 - Mitigation
 - Monitoring
14. Further SoCG have been prepared with Parish Councils and relevant operators based on information in their relevant representations and/or topics raised during consultation.
15. The following sections provide further detail on the status of agreements in relation to the above items for each topic.

3.2 Marine Geology, Oceanography and Physical Processes

Topic	Environment Agency	Happisburgh Parish Council	MMO	Natural England	North Norfolk District Council
EIA Existing Environment					
EIA Assessment Methodology					
EIA Assessment Findings					
Cumulative Impact Assessment					
HRA Screening of LSE			Deferred to Statutory Nature Conservation Bodies (SNCBs)		
Assessment of AEol			Deferred to SNCBs		
Mitigation					
Monitoring					

3.3 Marine Water and Sediment Quality

Topic	Environment Agency	MMO
EIA Existing Environment		
EIA Assessment Methodology		
EIA Assessment Findings		
Cumulative Impact Assessment		
Mitigation		
Monitoring		

3.4 Benthic and Intertidal Ecology

Topic	Eastern IFCA	MMO	Natural England
EIA Existing Environment	Agreed, but deferred to Natural England for <i>Sabellaria spinulosa</i>		
EIA Assessment Methodology			
EIA Assessment Findings	Agreed, but deferred to Natural England for <i>Sabellaria spinulosa</i> and Sandbanks	Agreed, noting that MMO would defer to the SNCBs for advice on whether recovery will occur within a 'reasonable' timeframe for the purposes of the HRA.	
Cumulative Impact Assessment			
HRA Screening of LSE		Deferred to SNCBs	
Assessment of AEol		Deferred to SNCBs	

Topic	Eastern IFCA	MMO	Natural England
Mitigation	Deferred to Natural England		
Monitoring	Deferred to Natural England		

3.5 Fish and Shellfish Ecology

Topic	Eastern IFCA	MMO	Natural England
EIA Existing Environment			
EIA Assessment Methodology			
EIA Assessment Findings			
Cumulative Impact Assessment			
HRA Screening of LSE			
Assessment of AEol			
Mitigation			
Monitoring			

3.6 Marine Mammals

Topic	MMO	Natural England	The Wildlife Trusts	WDC
EIA Existing Environment				
EIA Assessment Methodology				
EIA Assessment Findings	Deferred to Natural England			
Cumulative Impact Assessment				
HRA Screening of LSE	Deferred to SNCBs			
Assessment of AEol	Deferred to SNCBs			
Mitigation				
Monitoring				

3.7 Offshore Ornithology

Topic	MMO	Natural England	RSPB
EIA Existing Environment	Deferred to Natural England		
EIA Assessment Methodology	Deferred to Natural England		
EIA Assessment Findings	Deferred to Natural England		
Cumulative Impact Assessment	Deferred to Natural England		
HRA Screening of LSE	Deferred to Natural England		
Assessment of AEol	Deferred to Natural England		
Mitigation	Deferred to Natural England		
Monitoring	Deferred to Natural England		

3.8 Commercial Fisheries

Topic	Eastern IFCA	MMO	NFFO
EIA Existing Environment			
EIA Assessment Methodology			
EIA Assessment Findings			
Cumulative Impact Assessment			
Mitigation			
Monitoring			

3.9 Shipping and Navigation

Topic	MMO	MCA	Trinity House	RYA	EATL
EIA Existing Environment	Deferred to MCA and Trinity House				
EIA Assessment Methodology	Deferred to MCA and Trinity House				
EIA Assessment Findings	Deferred to MCA and Trinity House				
Cumulative Impact Assessment	Deferred to MCA and Trinity House				
Layout design and Use of Design Rules	Deferred to MCA and Trinity House				
Mitigation	Deferred to MCA and Trinity House				
Monitoring	Deferred to MCA and Trinity House				
Deemed Marine Licence					

3.10 Aviation and Radar

Topic	MOD	NATS
EIA Existing Environment		
EIA Assessment Methodology		
EIA Assessment Findings		
Cumulative Impact Assessment		
Mitigation		
Monitoring		

3.11 Offshore and Intertidal Archaeology and Cultural Heritage

Topic	Historic England	MMO
EIA Existing Environment		Deferred to Historic England
EIA Assessment Methodology		Deferred to Historic England
EIA Assessment Findings		Deferred to Historic England
Cumulative Impact Assessment		Deferred to Historic England
Mitigation		Deferred to Historic England

Topic	Historic England	MMO
Monitoring		Deferred to Historic England

3.12 Ground Conditions and Contamination

Topic	Breckland Council	Broadland District Council	Environment Agency	North Norfolk District Council
EIA Existing Environment				
EIA Assessment Methodology				
EIA Assessment Findings				
Cumulative Impact Assessment				
Mitigation				
Monitoring				

3.13 Water Resources and Flood Risk

Topic	Anglian Water	Breckland Council	Environment Agency	Norfolk County Council	North Norfolk District Council
EIA Existing Environment		Defer to the County Council			Deferred to the Environment Agency
EIA Assessment Methodology		Defer to the County Council			Deferred to the Environment Agency
EIA Assessment Findings		Defer to the County Council			Deferred to the Environment Agency
Cumulative Impact Assessment		Defer to the County Council			Deferred to the Environment Agency
Mitigation		Defer to the County Council			Deferred to the Environment Agency
Monitoring		Defer to the County Council			Deferred to the Environment Agency

3.14 Land Use and Agriculture

Topic	Breckland Council	NFU	North Norfolk District Council
EIA Existing Environment			
EIA Assessment Methodology			
EIA Assessment Findings			
Cumulative Impact Assessment			
Mitigation			
Monitoring			

3.15 Onshore Ecology

Topic	Breckland Council	Environment Agency	Natural England	Norfolk County Council	North Norfolk District Council	The Wildlife Trusts
EIA Existing Environment	Defer to the County Council					
EIA Assessment Methodology	Defer to the County Council					
EIA Assessment Findings	Defer to the County Council					
Cumulative Impact Assessment	Defer to the County Council					
HRA Screening of LSE	Defer to the County Council	Defer to Natural England				
Assessment of AEol	Defer to the County Council					
Mitigation	Defer to the County Council					
Monitoring	Defer to the County Council					

3.16 Onshore Ornithology

Topic	Breckland Council	Natural England	Norfolk County Council	North Norfolk District Council	The Wildlife Trusts
EIA Existing Environment	Defer to the County Council				
EIA Assessment Methodology	Defer to the County Council				
EIA Assessment Findings	Defer to the County Council				
Cumulative Impact Assessment	Defer to the County Council				
HRA Screening of LSE	Defer to the County Council				
Assessment of AEoI	Defer to the County Council				
Mitigation	Defer to the County Council				
Monitoring	Defer to the County Council				

3.17 Traffic and Transport

Topic	Breckland Council	Happisburgh Parish Council	Highways England	Norfolk County Council	North Norfolk District Council	Ørsted
EIA Existing Environment	Defer to the County Council				Deferred to Norfolk County Council	
EIA Assessment Methodology	Defer to the County Council				Deferred to Norfolk County Council	
EIA Assessment Findings	Defer to the County Council				Deferred to Norfolk County Council	
Cumulative Impact Assessment	Defer to the County Council				Deferred to Norfolk County Council	
Mitigation	Defer to the County Council				Deferred to Norfolk County Council	
Monitoring	Defer to the County Council					

3.18 Noise and Vibration

Topic	Breckland Council	Broadland District Council	North Norfolk District Council	Ørsted
EIA Existing Environment				
EIA Assessment Methodology				
EIA Assessment Findings				
Cumulative Impact Assessment				
Mitigation				
Monitoring				

3.19 Air Quality

Topic	Breckland Council	North Norfolk District Council
EIA Existing Environment		
EIA Assessment Methodology		
EIA Assessment Findings		
Cumulative Impact Assessment		
Mitigation		
Monitoring		

3.20 Human Health

Topic	Breckland Council	Broadland	Norfolk County Council	North Norfolk District Council
EIA Existing Environment			Defer to District councils	
EIA Assessment Methodology			Defer to District councils	
EIA Assessment Findings			Defer to District councils	
Cumulative Impact Assessment			Defer to District councils	
Mitigation			Defer to District councils	
Monitoring			Defer to District councils	

3.21 Onshore Archaeology and Cultural Heritage

Topic	Breckland Council	Broadland District Council	Historic England	Norfolk County Council	North Norfolk District Council
EIA Existing Environment	Defer to the County Council				
EIA Assessment Methodology	Defer to the County Council				
EIA Assessment Findings	Defer to the County Council				
Cumulative Impact Assessment	Defer to the County Council				
Mitigation	Defer to the County Council				

Topic	Breckland Council	Broadland District Council	Historic England	Norfolk County Council	North Norfolk District Council
Monitoring	Defer to the County Council				

3.22 Landscape and Visual Impact Assessment

Topic	Breckland Council	Broadland District Council	North Norfolk District Council
EIA Existing Environment	Green	Green	Yellow
EIA Assessment Methodology	Red	Yellow	Green
EIA Assessment Findings	Red	Green	Green
Cumulative Impact Assessment	Green	Green	Green
Mitigation	Green	Green	Red
Monitoring	Grey	Grey	Grey

3.23 Tourism, Recreation and Socio-economics

Topic	Breckland Council	Broadland District Council	Happisburgh Parish Council	Norfolk County Council	North Norfolk District Council
EIA Existing Environment	Green	Green	Grey	Green	Yellow
EIA Assessment Methodology	Green	Green	Grey	Green	Green
EIA Assessment Findings	Green	Green	Yellow	Green	Yellow
Cumulative Impact Assessment	Green	Green	Grey	Green	Green
Mitigation	Green	Green	Grey	Yellow	Yellow
Monitoring	Grey	Grey	Grey	Grey	Grey

3.24 Methodology for co-operation

Topic	EATL	Orsted
Notification and liaison		
Protective provisions		

3.25 Operations of statutory undertakers

Topic	Anglian Water	Cadent Gas Ltd	National Grid	Network Rail
Protective provisions				
Ongoing consultation				