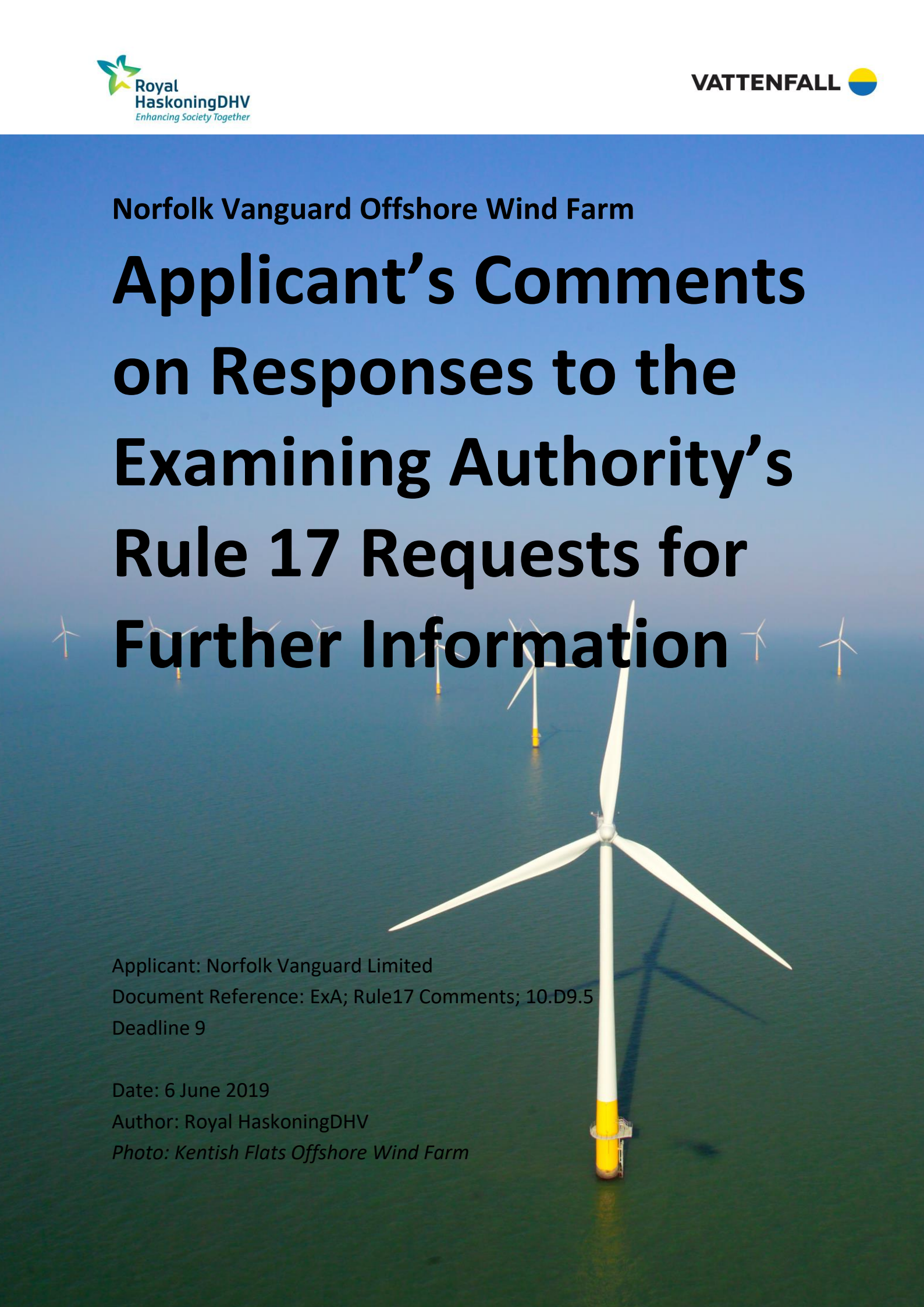


Norfolk Vanguard Offshore Wind Farm

Applicant's Comments on Responses to the Examining Authority's Rule 17 Requests for Further Information



Applicant: Norfolk Vanguard Limited

Document Reference: ExA; Rule17 Comments; 10.D9.5

Deadline 9

Date: 6 June 2019

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Photo: Kentish Flats Offshore Wind Farm

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Glossary

AA	Appropriate Assessment
AEoI	Adverse Effect on Integrity
BEIS	Business, Energy and Innovation Strategy
CRM	Collision Risk Modelling
DCO	Development Consent Order
DML	Deemed Marine Licence
ES	Environmental Statement
ExA	Examining Authority
FFC	Flamborough and Filey Coast
H3	Hornsea Project Three
HGV	Heavy Goods Vehicle
HHW	Haisborough, Hammond and Winterton
HIS	Highway Intervention Scheme
LSE	Likely Significant Effect
MCA	Maritime and Coastguard Agency
MHWS	Mean High Water Springs
MMO	Marine Management Organisation
NCC	Norfolk County Council
RIES	Report in the Implications for European Sites
RSPB	Royal Society for the Protection of Birds
SACTN	Substation Access Clarification Technical Note
SAR	Search and Rescue
SIP	Site Integrity Plan
SoCG	Statement of Common Ground
SPA	Special Protection Area

1 APPLICANT'S COMMENTS ON RESPONSES TO THE EXAMINING AUTHORITY'S RULE 17 REQUESTS FOR FURTHER INFORMATION

1. Following the issue of the Examining Authority's Rule 17 Requests for Further Information to the Applicant and other Interested Parties on the 21st May 2019 and to the Applicant on 28th May 2019, the Applicant has reviewed each of the responses by stakeholders at Deadline 8. Details of Applicant's comments on these responses are set out within this document in subsequent sections below.

1.1 Policy

PINS Question Number	Question is addressed to:	Question:	Stakeholder Response:	Applicant's Comments:
1.3	NE	Please set out whether an increase in turbine draught height of 5m, from 22m to 27m above MHWS would have any implications for any other matters assessed in the Environmental Statement, and if so, explain what you consider these would be?	Please see our detailed advice regarding offshore ornithology (primarily Section 1), also provided at Deadline 8.	As stated in the Applicant's response to Q1.3 at Deadline 8 (document reference ExA; Rule17; 10.D8.16), draught height is not applicable to any other receptors and therefore there are no implications for any other matters assessed in the Environmental Statement (ES) beyond Offshore Ornithology.
1.3	MMO	Please set out whether an increase in turbine draught height of 5m, from 22m to 27m above MHWS would have any implications for any other matters assessed in the Environmental Statement, and if so, explain what you consider these would be?	The MMO would defer to Natural England in this regard. The MMO considers that the main impact of an increase in draught height would be ornithological in nature. The MMO would like to see the increase in turbine height considered when agreeing post consent ornithological modelling and monitoring.	The Applicant provided Offshore Ornithology Collision Risk Modelling for the revised layout scenarios and the increased draught height on the 16th April 2019 (document reference ExA;AS;10.D7.5.2). Monitoring will be developed post consent through the Ornithological Monitoring Plan required under Condition 14(1)(I) of the Generation Asset DMLs. This will take into account the final design of Norfolk Vanguard.
1.5	Applicant	Please indicate whether you consider the information you have submitted for deadline 7 (including the late submissions [AS-048 and AS-049] and previously, has addressed the specific Adverse Effect on Integrity (AEI) concerns that Natural England has raised in its Interim Position Statement at Deadline 7 for Offshore Ornithology [REP7-075] as detailed in paragraphs 2.5.2 (little gull at Greater Wash	Whilst this question was directed to the Applicant Natural England advise that it is our opinion that this information does not address the concerns in relation to AEI, as we are concluding that AEI cannot be ruled out for kittiwake at Flamborough and Filey Coast (FFC) SPA in-combination, lesser black-backed gull at Alde-Ore Estuary SPA in-combination and gannet at FFC SPA in-combination if Hornsea Project Three is included	The Applicant welcomes Natural England's submission at Deadline 8 (REP8-104) which has confirmed their agreement with the Applicant's submission at Deadline 7 (ExA;AS;10.D7.21) that AEI can be ruled out for all species with respect to collision risks at Norfolk Vanguard alone. The Applicant considers that Natural England's conclusions for in-combination and cumulative collision risk are a result of the compounding of precaution in their methods (see ExA;AS;10.D8.8 for detailed discussion). The Applicant has provided a response to Natural England's Deadline 8 (REP8-104)

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		SPA), paragraph 2.7.1 (gannet at FFC SPA), paragraph 2.8.2 (kittiwake at FFC SPA) paragraphs 2.9.1 and 2.9.3 (guillemot/all three auk species at FFC SPA), 2.10.1 (razorbill at FFC SPA), and 2.11.1 (puffin at FFC SPA). If you consider that you have not yet addressed these outstanding concerns, then please indicate how you intend to do so or provide a justification as to why you propose not to.	Please see Natural England's detailed advice regarding offshore ornithology also provided at Deadline 8 for further information.	comments and concluded that there will be no AEOI for the project in-combination with other plans and projects due to collision risk (ExA;AS;10.D9.6). With respect to auk displacement impacts, an updated assessment was submitted at Deadline 8 (ExA;AS;10.D8.10) which the Applicant considers has addressed Natural England's remaining comments. On the basis of this assessment the Applicant concluded there would be no AEOI for auks as a result of displacement from the project alone or in-combination with other plans and projects.
1.7	NE	Natural England in its deadline 7 response [REP7-075], and previously, has strongly advised against the use of cable protection within designated sites. In light of the Interim Cable Burial Study that has been submitted at Deadline 7 (Appendix 2 of the draft Outline HHW SAC Site Integrity Plan [REP7-026]), please comment on the feasibility of such an approach.	Please see our detailed advice regarding Interim Cable Burial Study also provided at Deadline 8.	The Applicant's response to Natural England's Comments on the Haisborough Hammond and Winterton Special Area of Conservation Site Integrity Plan, which includes comments on the Interim Cable Burial study, is provided in document reference ExA; Comments; 10.D9.1A.
1.8	NE	Please comment on the areas that contain question marks, ie where there is not agreement between the Interested Parties and the Applicant that LSE and/or an AEOI can be excluded, as set out in Annexes 2 and 3 of the Report on	Please see our detailed comments on RIES also provided at Deadline 8. The SoCG will be updated for Deadline 9	The Applicant's response to comments on the RIES is provided in document reference ExA; RIES Comments; 10.D9.2.

PINS Question Number	Question is addressed to:	Question:	Stakeholder Response:	Applicant's Comments:
		the Implications for European Sites (RIES) [PD-016].		
1.8	RSPB	Please comment on the areas that contain question marks, ie where there is not agreement between the Interested Parties and the Applicant that LSE and/or an AEOI can be excluded, as set out in Annexes 2 and 3 of the Report on the Implications for European Sites (RIES) [PD-016].	[The response provided by the RSPB is provided in The Applicant's response to comments on the RIES (document reference ExA; RIES Comments; 10.D9.2)].	The Applicant's response to comments on the RIES is provided in document reference ExA; RIES Comments; 10.D9.2.
1.9	NE	Having regard to the Applicant's comments on 'over precaution' in section 2 of the Offshore Ornithology Cumulative and In-combination Collision Risk Assessment (Update) [AS-048] and the 'Waddenzee judgment', please comment on the precautionary nature of the information that has been submitted.	Natural England considers that there are five main dimensions of uncertainty that should influence the level of precaution applied in collision risk assessments, which are summarised below: i) Representativeness of data collected: seabird distribution across marine areas used for foraging appears to be highly variable at a range of scales through time (days, seasons, years) and space. While the level of survey information collected by Norfolk Vanguard meets Natural England's standard advice regarding offshore ornithology survey effort, and therefore is not under dispute, it remains the case that, due to this high variability, data collected over 2 years has the potential to over- or underestimate the densities of seabirds that use the Norfolk Vanguard project area. Hence Natural England requests, for example, the upper and lower confidence	The Applicant acknowledges that there are several sources of uncertainty in assessing impacts of offshore wind farms on seabirds and that these include the four aspects listed in Natural England's response. Furthermore, the Applicant agrees that in the face of uncertainty there is a requirement to apply a precautionary approach to the assessment. However, the Applicant strongly disagrees with the method Natural England has applied to how these individual elements of precaution have been combined, which compounds several worst case predictions without giving proper consideration to how highly improbable the results are. The Applicant has discussed this in detail in ExA;AS;10.D8.8.

PINS Question Number	Question is addressed to:	Question:	Stakeholder Response:	Applicant's Comments:
			<p>intervals for the seabird densities used in CRM.</p> <p>ii) Seabird ecology and behaviour: limited empirical data is available regarding the behaviour of seabirds in the offshore environment, including between different seasons. For example, whilst tracking data has significantly improved our understanding of seabird foraging behaviour in the breeding season, data collected is confined to certain colonies/species and in any given tracking season only a very small proportion of the birds present at the colony are tracked. In the case of Nocturnal Activity Factors (NAF), some of the evidence brought forward by the Applicant is not yet peer-reviewed or is of uncertain applicability to the survey data collected. There is also a broader tendency in impact assessments to straightforwardly adopt findings from the latest research rather than also consider previous research findings using a 'weight of evidence' approach. In this context Natural England considers that a range-based approach to key parameters such as apportioning rates and NAF is advisable. To do otherwise and rest assessments on single values, sometimes based on a limited number of studies or even a single study, risks incorporating a misleading level of precision into impact assessments.</p> <p>iii) Levels of collision impacts: collisions of seabirds with turbines are highly difficult to</p>	

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			<p>detect, not least because collision is likely to be an infrequent event given our admittedly limited understanding of behavioural responses to windfarms, particularly in the offshore environment. Whilst the recent camera studies at Thanet windfarm have yielded important information regarding seabird avoidance and collisions at windfarms, there is still much to understand regarding their reactions, the associated avoidance rates that should be applied within CRMs and ultimately the likely collision mortality from a given project.</p> <p>iv) Implications of impacts, including cumulative/in-combination impacts – there is rather limited data regarding the basic demographic parameters seabird ecology, particularly in response to environmental changes, with estimations of baseline mortality and productivity sometimes based on a small number of studies from well-studied colonies, which may not be applicable to populations in different locations and environments. This makes predicting the likely implications of a given amount of annual mortality, hence the development and ongoing refinement of Population Viability Analysis models, and Natural England considering a range of outputs within PVA rather than those associated with a single, central mortality value. This uncertainty is compounded when a number of projects, all</p>	

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			<p>carrying their own uncertainties, are considered cumulatively or in-combination. Precaution in the Habitats Regulations – the ECJ ‘Waddenzee judgment’¹ (case reference C:127/02) elucidated several key principles for Habitat Regulations Assessments, including the Appropriate Assessment (AA) stage. Paragraph 57 of the Judgment states that ‘...where doubt remains as to the absence of adverse effects on the integrity of the site linked to the plan or project being considered, the competent authority will have to refuse authorisation’. This reflects the centrality of the precautionary principle within the Habitats Directive. The associated legal opinion of the Advocate General also gives more specific guidance on how to deal with uncertainty in an AA in paragraphs 97 and 98, stating that “In many areas there is considerable scientific uncertainty as to cause and effect. If no certainty can be established even having exhausted all scientific means and sources, it will consequently be necessary also to work with probabilities and estimates. They must be identified and reasoned. Following an appropriate assessment, a reasoned judgement must be made as to whether or not the integrity of the site concerned will be adversely affected. In that respect it is necessary to list the areas in which the occurrence or absence of adverse effects cannot be established with certainty and also the conclusions drawn therefrom.”</p>	

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			For the reasons set out in i)-iv) above, there are a number of important elements of seabird CRM analysis which are by no means not 'established with certainty' and therefore require an appropriate degree of precaution to be applied by Applicants in impact assessments, in order to allow the competent authority to carry out an AA that meets the requirements set out in the Waddenzee Judgment.	
1.9	RSPB	Having regard to the Applicant's comments on 'over precaution' in section 2 of the Offshore Ornithology Cumulative and In-combination Collision Risk Assessment (Update) [AS-048] and the 'Waddenzee judgment', please comment on the precautionary nature of the information that has been submitted.	The RSPB considers that it is entirely correct to apply precaution where there are such high levels of uncertainty. We have commented in detail on the specific examples of precaution referred to by the Applicant in our previous submissions ¹ and it is necessary to point out that these instances of precaution are far from proven. Waddenzee confirmed that the competent authority, <i>"taking account of the conclusions of the appropriate assessment of the implications...for the site concerned, in the light of the conservation objectives, are to authorise such activity only if they have made certain that it will not adversely affect the integrity of the site. That is the case where no reasonable scientific doubt remains as to the absence of such effects"</i> . Therefore, we are keen to see the advancement of the underpinning science for windfarm assessments, particularly advances in the modelling of likely impacts and the data	The Applicant does not dispute that there are uncertainties in assessing the impacts of offshore wind farms on seabirds, nor that these require a degree of precaution in terms of conclusions. However, the Applicant strongly disagrees with the practice of compounding multiple sources of precaution without consideration for the fact that the results are highly improbable. This has been discussed in detail in the Applicant's submission at Deadline 8 (ExA;AS;10.D8.8).

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			<p>underpinning them. However, these must be supported by robust, peer-reviewed evidence in order to meet the standards of scientific rigour required for appropriate assessment. This is exemplified by the discussions around the use of the Marine Scotland Science stochastic collision risk model and the Furness et al. (2018) nocturnal activity factors for gannet – in both these cases we support the use of these new, peer-reviewed methods if the site-specific data available meet the requirements for their use. However, in many of the other instances of precaution referred to by the Applicant, the proposed methodologies are not underpinned by robust and peer-reviewed science and hence cannot be accepted for the purposes of appropriate assessment. This issue highlights the importance of effective post-consent monitoring which can help address and reduce uncertainties for future deployment offshore renewables and is needed to validate the conclusions reached by the various assessments that have been undertaken.</p>	
1.10	French Government	Please provide any comments you wish to make in relation to the updated screening matrices, exam library reference [AS-044], for any of the European sites located in France.	No response provided	N/A

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1.11	MMO	Having regard to the 'Harbour porpoise Special Area of Conservation: Southern North Sea Conservation Objectives and Advice on Operations, March 2019' document, submitted at deadline 7 [REP7-052], please comment on the acceptability of Condition 14(1)(m) of Schedules 9 and 10, and Condition 9(1)(l) of Schedule 11 and 12 of the draft DCO.	<p>The MMO are satisfied with the current wording of the condition and therefore deem this acceptable to be included within the DMLs.</p> <p>The MMO believes the condition provides the best mechanism at this time to adhere to the conservation objectives put forward in the REP7-052 document. The MMO would like to highlight the ongoing Review of Consents being undertaken by the Department of Business, Energy and innovation strategy (BEIS) and which is not yet complete. Therefore, the MMO would like to highlight that whilst recognising the appropriateness of the conditions some changes regarding mitigation may be required post consent as a result of a completed Review of Consents. It is recognised within the site integrity plan itself that best practice and best scientific knowledge will be employed at the time.</p>	The Applicant agrees that the condition should be included in the DMLs and provides a mechanism to adhere to the conservation objectives. The SIP mechanism allows the final mitigation to be agreed post consent and, in this respect, the Applicant notes the MMO's Deadline 6 submission which states " <i>The current requirement for a Site integrity Plan (SIP) is likely to be sufficient to allow any mechanism to be fully incorporated without need for variation</i> ".
1.12	MMO	<p>What is your view on whether, and if so how, enforcement action against a breach of the Development Principles [REP7-029] could be undertaken unless they were made a specific condition of an eventual approved Design Plan?</p> <p>What matters, if any, in the Development Principles should be</p>	The MMO is still unclear regarding the rationale for the need for this document. Considering that the document uses terms such as "as far as practicable" then there would be difficulties in attempting meaningful enforcement action. Some of the wording as it standing does not meet the criteria for conditions or statements in methodologies which could be enforceable.	The Development Principles are intended to be a placeholder as to the point at which agreement on layouts has been reached between the Maritime and Coastguard Agency (MCA), Trinity House (TH) and the Applicant. This agreement will be developed post consent in further consultation meetings. The reference within the DCO/DML (at Condition 14(1)(a) of Schedule 9-10 and Condition 9(1)(a) of Schedule 11-12) is intended to reflect this point of agreement to ensure it is carried through to post consent discussions as part of the design plan. The design plan

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		<p>elevated to a clear mandatory status by for example specifying them alongside other design parameters set out in the DCO/DMLs.</p> <p>For example, would the design rule that all structures (not just the turbines as set out in the DCO design parameters) should have a minimum separation distance of 760m, be better located in the DCO/DML Requirements if this is seen as critical to SAR and other navigational safety needs?</p>	<p>With this in mind, it is always advisable to have important parameters stipulated explicitly within the DCO.</p> <p>Anything that is critical to Search and Rescue (SAR) and navigational safety should be set out in the DCO design parameters.</p> <p>Also the development principles seem to meet the requirement of some 1n principle design parameters which without linking to an agreed specific design plan could be problematic to enforce.</p> <p>The MMO would wish to discuss this document with the applicant and investigate whether the MCA and Trinity House have responded to its contents.</p>	<p>is the document which the MMO will be asked to discharge (in consultation with the MCA and TH) and the design plan will be in accordance the Development Principles.</p> <p>The Development Principles should be treated akin to any other outline plan, which is secured by the appropriate condition in the DML (in this case Condition 14 in Schedule 9-10 and Condition 9 in Schedule 11-12).</p> <p>The Development Principles are not fixed parameters but, rather, a guide as to the current point of agreement. Either the Applicant, MCA or TH may wish to make a case (outside of the complexity of varying the DCO/DML) to amend the Development Principles post consent with a justified safety case/reasoning. It would therefore not be appropriate or necessary to list the Development Principles as a standalone requirement or condition in the DCO.</p> <p>With regards to minimum separation and critical SAR distances, the minimum distance at which SAR access is considered safe is contained within MGN 543 (MCA, 2016) and this is set at 500 metres. MGN 543 is already secured within the DMLs, in particular by Condition 14(1)(a)(ix) which states that the proposed layout of the wind turbines, accommodation platforms, and meteorological masts must be in accordance with the recommendations for layout contained in MGN543. The Development Principles contain a larger separation distance which builds on the MGN543 minimum distances and, accordingly, the Development Principles should in no way be seen</p>

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				<p>as a minimum for the purposes of SAR access or navigational safety and therefore is not required to become a DCO design parameter.</p> <p>Since the MMO's Deadline 8 submission, the Applicant has discussed this matter with the MMO in order to explain the rationale for the Development Principles and explain that the Development Principles have been agreed by the MCA and TH in order to facilitate the post-consent design process. The Applicant's understanding is that the MMO are, accordingly, content with the inclusion of the Development Principles as currently drafted.</p>

1.2 Health, air quality, noise and vibration

PINS Question Number	Question is addressed to:	Question:	Stakeholder Response:	Applicant's Comments:
4.2	Broadland DC	Please comment on whether the cumulative noise and vibration assessment for Cawston has taken into consideration idling and accelerating vehicles which may occur as a result of single way priority working in the proposed highway intervention scheme. If not,	The District Council notes that the current noise and vibration assessment for Cawston has not taken into consideration idling and accelerating vehicles as a result of single way priority arrangement and that this is an important consideration which should be taken into account in assessing the noise and vibration impacts for Cawston.	<p>An assessment has been undertaken that assumes the effect of heavy goods vehicles (HGVs) idling and accelerating away from waiting locations as part of the proposed formalised priority system and was submitted in response to FQ4.2 at Deadline 8 (ExA; Rule17; 10.D8.16).</p> <p>The assessment adopted the same calculation method that was used for the assessment at The Old Railway Gatehouse that was submitted at Deadline 7 (ExA; ISH6; 10.D7.7). The results of the calculation for properties in Cawston is given below.</p>

PINS Question Number	Question is addressed to:	Question:	Stakeholder Response:	Applicant's Comments:																				
		should such assessments be completed?		<table><tr><th>Link No.</th><th>Assessed dB Change LA₁₀, 18hr</th><th>Speed (km/h)</th><th>Impact magnitude</th></tr><tr><td>34 - without mitigation (based on cumulative peak of 397)</td><td>+3.0</td><td>43.3</td><td>Moderate</td></tr><tr><td>34 – with mitigation scheme as reported and peak of 271 (Deadline 5)</td><td>+2.7</td><td>32.2</td><td>Minor</td></tr><tr><td>34 – with mitigation scheme and reduced cumulative peak of 239</td><td>+2.4</td><td>32.2</td><td>Minor</td></tr><tr><td>34 – with mitigation + 239 peak + consideration of idling vehicles</td><td>+2.8</td><td>32.2</td><td>Minor</td></tr></table> <p>As shown in the table above, following implementation of the mitigation scheme, and a reduction in the cumulative peak daily HGVs (committed to at Deadline 8), the calculated noise increase from both Norfolk Vanguard and Hornsea Project Three taking into account the effect of idling and accelerating vehicles as a result of single way priority working represents a residual impact of minor adverse significance.</p> <p>These results have been shared with Broadland District Council. The Applicant and Broadland District Council are in agreement that the findings of the assessment confirm that there are no significant residual noise impacts associated with cumulative construction traffic along the B1145 through Cawston. This is</p>	Link No.	Assessed dB Change LA ₁₀ , 18hr	Speed (km/h)	Impact magnitude	34 - without mitigation (based on cumulative peak of 397)	+3.0	43.3	Moderate	34 – with mitigation scheme as reported and peak of 271 (Deadline 5)	+2.7	32.2	Minor	34 – with mitigation scheme and reduced cumulative peak of 239	+2.4	32.2	Minor	34 – with mitigation + 239 peak + consideration of idling vehicles	+2.8	32.2	Minor
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				reflected in the final Statement of Common Ground submitted at Deadline 9 (Rep3-SOCG-3.1).
4.3	Breckland DC	Please comment on the additional noise and vibration assessment, including conclusions and proposed mitigation, completed for the proposed trenchless crossing on the A1067 within the Applicant's additional submission 'Technical Note Responding to Norfolk County Council's Request for Trenchless Crossings of the A1067 and B1149' [AS-047].	We have no objections or comments to make subject to the enhanced noise mitigation measures described in the report being implemented during the proposed works	Noted.

1.3 Highways

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:
5.4	Norfolk County Council	The Applicant submitted a cumulative impact paper at deadline 5 detailing the traffic impacts on The High Street, Cawston [REP5-012] and these	<p>The ExA's calculations in relation to the number of HGV's generated per minute and passing through the village of Cawston mirror our own.</p> <p>The Applicant confirms that the ExA's and Norfolk County Council's traffic derivation is correct. However, the Applicant has since committed to a further reduction in the HGV cap for Norfolk Vanguard traffic through Cawston to 112 movements</p>

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		<p>matters were further explored at ISH6. The Hornsea Three project (H3) prepared a Highway Intervention Scheme for High Street, Cawston dated March 2019 which was submitted into this examination at deadline 7 by NCC [REP7-079]. That document records daily baseline flows of 3,477 (all vehicles) and 127 HGV movements, as at 2022. The maximum cumulative traffic would increase these flows by 271 HGV movements (based on a flat demand profile of 127 HGVs for H3 and a maximum peak capped at 144 HGVs for Norfolk Vanguard).</p> <p>In the context of a 12-hour working day and, assuming an even distribution of the additional HGV traffic, this appears to equate to some 22.6 additional HGVs travelling through Cawston village each hour. This would be in addition to the existing baseline of 127 HGVs. If the baseline flow is apportioned over the same 12-hour period, this equates to a total cumulative flow of 33.2 HGVs each hour passing through the village or</p>	<p>per day, thereby reducing the cumulative HGV traffic to 239 movements per day (equivalent to 25.2 HGVs per hour allowing for timing restrictions). The further reduction down to 112 is in response to concerns raised by the local community and is an effort to reduce daily HGV movements to as low as practicable within the existing construction programme by re-scheduling non-essential works. This commitment is captured within an update to the Outline Traffic Management Plan (document 8.8 version 3) submitted at Deadline 8.</p> <p>The objective of the Highway Intervention Scheme (HIS) is to improve the baseline situation to accommodate the additional vehicles generated by Norfolk Vanguard and Hornsea Project Three. The HIS will introduce enhanced pedestrian facilities, managed parking, road safety measures, speed restrictions and timing restrictions (avoiding school drop off and pick up).</p> <p>Specifically, the HIS seeks to formalise and manage the parking through Cawston to make more efficient use of kerbside capacity to create 'pathways' and waiting areas to enable larger vehicles to traverse through the village unobstructed.</p> <p>With the implementation of the HIS potentially significant pedestrian amenity impacts associated with the increase in daily HGV movements can be reduced to minor adverse significance.</p>

PINS Question Number	Question is addressed to:	Question:	Applicant's Response:	
		<p>the equivalent of one HGV approximately every 2 minutes.</p> <p>Please provide your comments upon this analysis and any further general observations you wish to make. More particularised questions follow.</p>		
5.5	Norfolk County Council	<p>The H3 Highway Intervention Scheme dated March 2019 is still under consideration and it provides an illustration of some of the mitigation measures which could be utilised. This scheme retains some demarcated on-street parking which would result in HGVs having to wait in turn based upon 'single way priority working signage'. Having regard to the traffic movement figures above, namely one HGV every 2 minutes, how is it envisaged that such a scheme would work and be effective?</p> <p>In particular, how long would one HGV take to navigate the route through Cawston village. How long would the wait times be for HGVs travelling in the opposite direction?</p>	<p>The applicant has just advised us that they intend to reduce their HGV numbers by committing to a 1 week peak of 112 daily HGV movements (in both the single project and cumulative scenario), which will reduce down to 95 daily HGVs for a further 22 weeks, and then 44 daily HGVs for a further 13 weeks. We understand this will be confirmed within our joint position statement to be issued to the ExA later today.</p> <p>We further understand the applicant intends to submit calculations to the ExA in relation to both of the above questions, based upon their new revised figures. At this stage we are waiting to see the revised calculations before wishing to comment further.</p> <p>In the meantime, our position remains – we believe there is a reasonable expectation that a mitigation scheme can be produced to overcome the technical highway issues. However, until we receive a valid stage 1 Road Safety Audit, currently there is no</p>	<p>The Applicant has committed to a further reduction in the HGV cap for Norfolk Vanguard traffic through Cawston of a 1 week peak of 112 daily HGV movements (in both the single project and cumulative scenario), which will reduce down to 95 daily HGVs for a further 22 weeks, and then 44 daily HGVs for a further 13 weeks. The further reduction down to 112 is in response to concerns raised by the local community and is an effort to reduce daily HGV movements to as low as practicable within the existing construction programme by re-scheduling non-essential works. This commitment is captured within an update to the Outline Traffic Management Plan (document 8.8 version 3) submitted at Deadline 8.</p> <p>With the implementation of the HIS potentially significant pedestrian amenity impacts associated with the increase in daily HGV movements can be reduced to minor adverse significance.</p> <p>The Applicant would also wish to highlight that Norfolk County Council has requested that the Applicant does not make any alterations to the Highway Intervention Scheme as proposed by</p>

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			<p>agreed mitigation scheme to overcome the identified issues for Cawston.</p> <p>Hornsea Project Three, as the Council is continuing to engage with Hornsea Project Three over an updated Road Safety Audit, and is keen that the scheme remains consistent for both projects.</p> <p>Norfolk County Council's position as set out in the joint position statement submitted at Deadline 8 (ExA; ISH6; 10.D8.2) states "NCC believes a suitable access strategy can be delivered that mitigates the traffic impacts through Cawston. The current proposal needs several amendments to address issues raised during the road safety audit, but that these can be addressed post-consent."</p> <p>The Applicant will continue to work with Norfolk County Council and Hornsea Project Three, during detailed design, to ensure that the amendments requested are addressed and that a suitable scheme is delivered accompanied with a valid Road Safety Audit.</p>
5.6	Highways England	In light of the traffic speeds and volumes of traffic along the A47, please confirm the basis upon which you are prepared to accept a relaxation of DMRB standards in the visibility splay requirements in relation to access B in regard to vehicles exiting the site and turning right.	<p>No response</p> <p>Within Highways England's Briefing Note 6 (Appendix B to the Substation Access Clarification Technical Note (SACTN) submitted at Deadline 4 (ExA; ISH1; 10.D4.2) Highways England state:</p> <p><i>"Drawing no. TP-PB4476-DR014 Rev D0.3 illustrates an 'x' distance of 2.4m on the minor road. The proposed visibility splay is reviewed with respect to the need to achieve an 'x' distance of 4.5m on the minor arm in all but exceptionally difficult circumstances, and demonstrated to be deliverable</i></p>

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			<p><i>within land in the control of either the applicant or the highway authority"</i></p> <p>The Applicant responded within the SACTN stating <i>"Increasing the 'x' distance to 4.5m would require the removal of a large proportion of established hedgerows, vegetation and trees. This will have ecological impact and would remove much of the native mature screening required to mitigate the landscape impact'.</i></p> <p>In Highways England's response (Briefing Note 07) they state <i>"In the circumstances, this appears to be sufficient grounds to permit what is effectively a two-step permitted relaxation in the provision of emerging visibility at access point B"</i>.</p> <p>Further to this the 2.4 'x' distance provides an adequate visibility envelop for minor entry arms with relatively low vehicle flows and is typically adopted as the standard for County Roads. It is considered by the Applicant that access B fits these design parameters and therefore Highways England's relaxation does not compromise road safety in this instance.</p>