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EN010080 Hornsea Project Three Offshore Wind Farm

- 1. Certifying compliance with section 56 of the Planning Act 2008**
- 2. Response to Section 51 letter dated 8 June 2018**
- 3. Matters Identified at Point of Submission**
- 4. Other Matters**

Dear Kay

1. Certifying compliance with section 56 of the Planning Act 2008

The supporting certificates attached to this letter (See **Attachment 1**) confirm that the Applicant has complied with sections 56 and 59 of the Planning Act 2008 and regulation 13 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 in relation to the Application (ref EN010080). The certificates are supported by an updated Book of Reference, including Schedule of Changes (accompanying the section 59 certificate).

The Applicant has diligently reviewed all cases where individuals may not have received the notice, for example through failed delivery or error and has reissued the section 56 notification to the following statutory organisations/individuals with a deadline for receipt of any Relevant Representations of 11:59 pm on 23 August 2018.

The Applicant is confident that the notices will have reached the relevant contact(s), however because the Applicant is aware of a recent address change or a potential error in the original issue of the s56 notices, the Applicant has reissued the notices accordingly to those listed below. The Applicant believes that there is no reason to delay the commencement of examination to accommodate the small number of extensions, but requests that the Planning Inspectorate takes any responses received from the organisations/individuals listed before the above-mentioned deadline into consideration.

Stakeholder	Category	Reason
Highways England – East	Section 42(1)(a)	Incorrect address for East region by error. Note: The original notice was also issued to Highways England Company Limited. Notwithstanding we continue to actively engage with the appointed project case officer.
Scira Offshore Energy Ltd	Section 42(1)(d)	Due to recent address change the Applicant has reissued the notice accordingly
W.J.F. Ross Limited	Section 42(1)(d)	Due to recent address change the Applicant has reissued the notice accordingly
Salle Farms Company	Section 42(1)(d)	Due to recent address change the Applicant has reissued the notice accordingly
Dereham Fishing Club	Section 42(1)(d)	Due to recent address change the Applicant has reissued the notice accordingly
Norwich CEYM Society	Section 42(1)(d)	Notice was sent to preferred address, but now also issued to registered address
Norfolk Badger Protection Group	Non-prescribed	No postal address and omitted from email notification by error.
Norfolk Barbastelle Study Group	Non-prescribed	Omitted from email notification by error.
Shell U.K. Limited	Non-prescribed	Not issued by error. Reissued to registered address. Note: Relevant contacts had previously received notice by email.

If any further changes are brought to the Applicant's attention, the Applicant will notify the Planning Inspectorate.

2. Response to Section 51 letter dated 8 June 2018

Following issue of decision to accept the application for examination, on 8 June 2018 the Planning Inspectorate issued the Applicant section 51 advice and made a number of observations. Set out below is the Applicant's response to those observations identified at acceptance stage.

Environmental Statement

Re. the relationship between the maximum design parameters described in Chapter 3 of the environmental statement and some of the works parameters specified in the requirements of the draft Development Consent Order (DCO) and the conditions of the Deemed Marine Licence (DML) required clarification.

Table 1.1 of **Attachment 2** sets out the relationship between the maximum design parameters included in the draft Development Consent Order (DCO) and Deemed Marine Licence (as submitted)¹, and the Environmental Statement is outlined in **Error! Reference source not found.** below.

Re. It would be helpful if there could be some clarification of the way in which the mitigation measures described in the various chapters of the environmental statement would be secured through the draft DCO and/or DML. The Applicant is requested to provide a table which explains how each of the mitigation measures would be secured, by reference to the relevant provisions of the draft DCO/DML.

Volume 4, Annex 5.1 of the Environmental Statement (application document reference A6.4.5.1) sets out a summary of the enhancement measures, mitigation and monitoring commitments detailed within the Environmental Statement for Hornsea Three. The means of implementation, including where required reference to the relevant provisions of the draft DCO/DML is also specified for each of the enhancement measures, mitigation and monitoring commitments.

Habitats Regulations Assessment

- i) *Some of the text in Table 9.1 of the Report to Inform the Appropriate Assessment appears to be missing. The Applicant should submit an updated version of the table to correct this.*

A replacement Report to Inform the Appropriate Assessment, with full text to Table 9.1, is attached at **Attachment 3**. If it assists the ExA, this can be formally placed into the examination at Deadline I.

- ii) *The Inspectorate notes that the Applicant has not provided a set of screening and integrity matrices as advised in Advice Note 10 Habitats Regulations Assessment and therefore is requested to provide a set of screening and integrity matrices.*

A set of screening and integrity matrices is attached at **Attachment 4**. If it assists the ExA, this can be formally placed into the examination at Deadline I.

Section 42(1)(a) persons prescribed

The section 51 advice advises that the following relevant bodies were potentially not consulted at the pre-application stage. Set out below is a clarification to their status and actions the applicant has undertaken to consult with these relevant bodies.

¹ (As submitted) means as submitted with the application on 14 May 2018. It is anticipated that the draft DCO and Deemed Marine Licences will evolve through the examination process and references may change.

Section 42(1)(a) persons prescribed	Notified under s56 (Y/N)	Justification / comments
The Homes and Communities Agency (now Homes England)	Y	The Applicant notes that 'The Homes and Communities Agency' is not included on the Schedule 1 list. This is confirmed in the Annex to the Planning Inspectorate's Advice Note 3. 'The Homes and Communities Agency' is however included in the list of Relevant Deemed Statutory Undertakers, and therefore has been notified under section 56 of the Planning Act 2008.
The Historic Buildings and Monuments Commission for England	N	In the Annex to Advice Note 3, it is noted that the Planning Inspectorate interprets the 'The Historic Buildings and Monuments Commission for England' as 'Historic England'. Historic England has been consulted under section 42 and notified under section 56 of the Planning Act 2008.
The Broads Internal Drainage Board	Y	The stakeholder has been notified under section 56 of the Planning Act 2008.
Murphy Power Distribution Limited	Y	The stakeholder has been notified under section 56 of the Planning Act 2008.
Utility Distribution Networks Limited	N	The Applicant notes that 'Utility Distribution Networks Limited' changed its registered Company name to 'Energy Assets Networks Limited' on 24/01/2018. Energy Assets Networks Limited was notified under section 56 of the Planning Act 2008 (see below).
Vattenfall Networks Limited	Y	The Applicant notes that it has consulted with the relevant Projects for which Vattenfall is responsible under section 42 of the Planning Act 2008. However, for completeness has notified 'Vattenfall Networks Limited' under section 56.
Fulcrum Electricity Assets Limited	Y	The Applicant notes that 'Fulcrum Pipelines Limited' have previously confirmed no apparatus within the boundary, however for completeness has notified 'Fulcrum Electricity Assets Limited' under section 56 of the Planning Act 2008.
Energy Assets Networks Limited	Y	The Applicant notes that 'Energy Assets Pipeline Limited' was previously identified as a prescribed consultee under Schedule 1 and was consulted under section 42 of the Planning Act 2008, and for completeness has notified 'Energy Assets Networks Limited' under section 56 of the Planning Act 2008.
Energy Assets Power Networks Limited	Y	The Applicant notes that 'Energy Assets Pipeline Limited' was previously identified as a prescribed consultee under Schedule 1 and was consulted under section 42 of the Planning Act 2008. For completeness has notified 'Energy Assets Power Networks Limited' under section 56 of the Planning Act 2008.

3 Matters Identified at Point of Submission

'Guide to the Application'

At the point of submission, the Planning Inspectorates Case Manager advised that it assist the examination process if a 'Guide to the Application' could be provided. The 'Guide to the Application' would act as a 'living document', capturing all updates/ revisions to the application documents and any new documents submitted to the Examination by the Applicant. The guide would then be proactively updated by the Applicant following each deadline in the Examination Timetable. The applicant recognises the value of such a document and if it assists the ExA, this can be formally placed into the examination at Deadline I.

4 Other Matters

Acceptance Period Representations

At the point of Acceptance of the application, the Planning Inspectorate published Section 55 Acceptance of Applications, Section 55 Application Checklist. This checklist noted that during the acceptance period representations were also received from the following:

- National Farmers' Union (NFU) joint submission with Savills,
- Strutt & Parker, Bidwells, Irelands, Brown & Co and Cruso & Wilkin
- Oulton Parish Council
- Trustees of the BE Brooks (1983) Settlement
- S Bullimore

The Applicant requests copies of these representations be made available to the Applicant so that it can consider any matters raised.

Project Roles and Responsibilities

Since submission of the application the Applicant's project team has had a slight re-organisation. The key points of contact for the project going forward are: -

- Stuart Livesey, Hornsea Project Three Project Development Manager
Stuart should continue to be included on all correspondence relating to the project but has delegated day to day management of the application through the examination process to Andrew Guyton.
- Andrew Guyton, Hornsea Project Three Consents Manager
Andrew has replaced Sophie Banham as Hornsea Project Three Consents Manager. Andrew is managing the application as it transitions through the examination and determination process. Andrew will be responsible for responding to all matters as they arise through the examination. It would be appreciated if Andrew could be included in all correspondence relating to the project.

Andrew's contact details will be forwarded to the Planning Inspectorate Case Officer.

- Emily Woolfenden, Hornsea Project Three Consultation Manager
Emily manages the projects stakeholder databases and consultation activities undertaken pre-application, including consultation under section 42 and notification under section 56 of the Planning Act 2008. More recently Emily has been the Planning Inspectorates primary point of contact for identification of potential venues for the hearings. Moving forward on the project Emily will pass day to day management of hearing venues and examination logistical support to Dominika.
- Dominika Phillips, Hornsea Project Three Examination Co-Ordinator
Dominika will assist Andrew Guyton managing the application as it transitions through the examination and determination process. It would be appreciated if Dominika could be included in all correspondence relating to the project.

Dominika's contact details will be forwarded to the Planning Inspectorate Case Officer.

Please acknowledge receipt of these documents.

Yours sincerely,



Andrew Guyton
Hornsea Project Three Consents Manager

cc. Stuart Livesey, Hornsea Project Three Project Manager

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