

Application by Orsted Hornsea Project Three (UK) Ltd for an Order granting Development Consent for the proposed Hornsea Project Three Offshore Wind Farm

The Examining Authority's Written Questions and Requests for Information

Issued on 9 October 2018

The following table sets out the Examining Authority's (ExA's) Written Questions and Requests for Information.

Each question has a unique reference number which starts with Q1, as it is possible that there may be further written questions later in the Examination, then an issue number and a question number. For example, the first question on alternatives and design flexibility is numbered Q1.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

Column 2 of the table indicates to which Interested Parties and Other Persons each question is directed. The ExA would be grateful if all persons named could answer all questions directed to them, either providing a substantive response or indicating why the question is not relevant to them. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the Planning Inspectorate's Project case team: please contact HornseaProjectThree@pins.gsi.gov.uk

Responses are due by **Deadline 1 - Wednesday 7 November 2018**. Please note that if this deadline is missed the ExA is not obliged to take account of your response.

Abbreviations Used

BDC	Broadland District Council
CEA	Cumulative effects assessment
CRM	Collision risk modelling
cSAC	Candidate Special Area of Conservation
dDCO	Draft Development Consent Order
DML	Deemed Marine Licence
ECR	Export cable route
EIFCA	Eastern Inshore Fisheries and Conservation Authority
EMF	Electromagnetic field
EPS	European protected species
ES	Environmental Statement
ExA	Examining Authority
HAT	Highest astronomical tide
HDD	Horizontal directional drilling
HE	Historic England
HGV	Heavy goods vehicle
HVAC	High voltage alternating current
HVDC	High voltage direct current
LAT	Lowest astronomical tide
MCAA	Marine and Coastal Access Act
MCA	Maritime and Coastguard Agency
MDS	Maximum design scenario
MMO	Marine Management Organisation
NAF	Nocturnal activity factor
NCC	Norfolk County Council

NE	Natural England
Neptune	Neptune E&P UK Limited
NGET	National Grid Electricity Transmission
NNDC	North Norfolk District Council
NPA	Neighbourhood Planning Act
NPS	National Policy Statement
NT	National Trust
pMCZ	Proposed Marine Conservation Zone
PRoW	Public right of way
pSPA	Proposed Special Protection Area
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SAR	Search and rescue
SNC	South Norfolk Council
SPA	Special Protection Area
Spirit Energy	Spirit Energy Nederland BV; Spirit Energy North Sea Limited; Spirit Energy Resources Limited
SSSI	Site of Special Scientific Interest
TWT	The Wildlife Trusts
UXO	Unexploded ordnance
VER	Valued ecological receptor
WCS	Worst case scenario
WTG	Wind turbine generator
ZVI	Zone of visual influence

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be accessed via the following link:

<https://infrastructure.planninginspectorate.gov.uk/projects/eastern/hornsea-project-three-offshore-wind-farm/?ipcsection=docs>

It will be updated as the Examination progresses.

1. Alternatives and design flexibility		
Ref	Question to	Question
Q1.1.1	Applicant	<p>Table 3.6 in the Environmental Statement (ES) [APP-058] sets out the maximum design scenarios for the most numerous type of turbine (with a maximum blade tip height of 250m above lowest astronomical tide (LAT)) and the largest type of turbine (with a maximum blade tip height of 325m above LAT).</p> <p>What factors would the undertaker take into account when choosing which turbines to install?</p> <p>Is it envisaged that the two scenarios could be combined, for example if the offshore works were carried out in phases, or are the scenarios mutually exclusive?</p>
Q1.1.2	Applicant	<p>The range of foundation types being considered is set out in Table 3.9 in the ES [APP-058]. The ES states that flexibility is required to ensure that anticipated changes in available technology and project economics can be accommodated within the project design.</p>

		<p>Is this degree of flexibility still necessary having regard to the growing body of experience of windfarm construction in the North Sea?</p> <p>Please provide an up-to-date assessment of the advantages and disadvantages of each of the foundation types currently under consideration, including a summary table showing the scale and significance of impact of each foundation type on benthic habitats, harbour porpoise and marine geophysical features.</p> <p>What is known about the foundation types actually used for comparable offshore wind farms, either recently commissioned or under construction, in the North Sea?</p>
Q1.1.3	Applicant	<p>Paragraph 3.6.10.6 of the ES [APP-058] states that cables will typically be buried at a depth of 1 to 2m with actual burial depth informed by a cable burial risk assessment. Condition 12 of the Deemed Marine Licence (DML) for transmission assets [APP-027] refers to a detailed cable laying plan, to be approved by the Marine Management Organisation (MMO).</p> <p>Is it intended that the MMO would approve the actual burial depth of any given section of cable?</p> <p>To what extent does the suggested approach accord with advice in paragraph 2.6.76 of National Policy Statement (NPS) EN-3 that where cables are buried at depths greater than 1.5m below the sea bed impacts from electromagnetic fields (EMF) are likely to be negligible?</p>
Q1.1.4	Applicant	<p>The representation from the Eastern Inshore Fisheries and Conservation Authority (EIFCA) [RR-070] suggests that, if the nearshore re-route took a more direct route across the north west corner of the Cromer Shoals Chalk Bed Marine Conservation Zone, the impacts on the fishing industry and benthic ecology would be reduced.</p> <p>Please provide further justification for the proposed nearshore re-route, having regard to the issues raised by the EIFCA.</p>



Q1.1.5	Applicant	<p>North Norfolk District Council (NNDC) [RR-133] expresses concern that the option of open cut cable installation is still being considered for the landfall works. The ES states that horizontal directional drilling (HDD) may not be possible due to ground conditions, cable design, or other factors [APP-058] (paragraph 3.6.12.5).</p> <p>Please provide further justification for retaining the option of using open cut techniques for the landfall works.</p> <p>What would be the implications for beach closures and diversion of the coastal path if open cut techniques were to be used instead of HDD?</p>
Q1.1.6	Applicant	<p>The ES states that the maximum number of construction phases would be two and that there may be a gap in construction, for example due to constraints in the supply chain or the timing of auctions for the Government's Contract for Difference process [APP-058] (paragraph 3.8.1.5).</p> <p>Please provide further justification for the possible need for a gap in the construction programme of up to 3 years.</p> <p>In practical terms how is it envisaged that the project might be divided into phases? Please give illustrative examples.</p> <p>What control measure is there to ensure that the construction duration does not extend beyond what has been assessed in the ES?</p>
Q1.1.7	Applicant	<p>The application seeks to use either high voltage alternating current (HVAC) or high voltage direct current (HVDC) transmission, or a combination of the two. The ES states that flexibility is required to ensure a low cost of energy to the UK consumer and to facilitate successful completion of the project in a competitive market [APP-058] (paragraph 3.5.1.5). Relevant representations have pointed out that other projects have committed to HVDC transmission [RR-026, RR-096 amongst others].</p>



		<p>Please provide an updated justification for retaining this element of design flexibility, given what is now known about the intentions of comparable projects.</p> <p>Please provide an assessment of the relative advantages and disadvantages of HVAC and HVDC, including environmental impacts (offshore and onshore), project delivery and implications for compulsory acquisition.</p> <p>Please explain how and why HVAC and HVDC might be combined.</p> <p>At what point would the choice of transmission technology be made?</p>
Q1.1.8	Applicant	<p>Paragraph 3.5.1.5 of the ES [APP-058] states that Hornsea Project Three may use HVAC or HVDC transmission or a combination of both technologies.</p> <p>Please explain how a combination of HVAC and HVDC transmission systems could be achieved without exceeding the maximum parameters used as the basis for the assessments in the ES.</p>
Q1.1.9	Applicant	<p>Figure 3.32 in the ES [APP-058] shows an indicative layout for the onshore cable corridor.</p> <p>What are the key determinants of the corridor width?</p> <p>Is the width shown the minimum that is reasonably required?</p> <p>What would the corridor width be if HVDC transmission were used?</p> <p>Please provide an indicative layout for HVDC in similar format to Figure 3.32.</p>
Q1.1.10	Applicant	<p>Relevant representations [RR-096, RR-133 amongst others] have suggested that the onshore cables could be laid in ducts, with a view to reducing the construction impacts in the event that</p>



		<p>there are 2 phases.</p> <p>What would be the advantages and disadvantages of installing ducts for phase 2 whilst carrying out the installation of cables in phase 1?</p> <p>If the onshore works were carried out in two phases is it intended that the haul road would remain in place between the first and second phases?</p> <p>If the onshore works were carried out in two phases what would be the advantages and disadvantages, in terms of environmental impacts, of removing or retaining the haul road between the first and second phases?</p>
Q1.1.11	National Grid Electricity Transmission (NGET)	<p>The ES describes the locations considered for connecting the project to the national grid [APP-092] (paragraph 2.2.1.1). It states that NGET's decision making took into account technical, commercial, regulatory, environmental, and socio-economic aspects.</p> <p>Please provide an explanation of NGET's reasons for selecting the connection point at Norwich Main.</p>
Q1.1.12	NGET	<p>A relevant representation [RR-106] has suggested that Hornsea Project Three, rather than Norfolk Vanguard, should be connected to the national grid at Necton. The ES states that, during NGET's offer preparation for Hornsea Project Three, a connection offer made to another developer meant that the connection point at Necton reached capacity. The Necton option was therefore discounted from further consideration.</p> <p>Was NGET in the position of considering connection requests at Necton from more than one developer at the same time?</p> <p>If so, was NGET's assessment of the technical, commercial, regulatory, environmental, and socio-economic aspects carried out on a comparative basis?</p>

		What were the reasons for offering a connection to another developer rather than Hornsea Project Three?
Q1.1.13	Applicant	<p>Figure 3.21 of Annex 4.3 to the ES [APP-094] indicates the construction compound options that were considered.</p> <p>Please provide further justification for the selection of Oulton Street as the proposed location for the main construction compound.</p>
Q1.1.14	Applicant	<p>Mulbarton Parish Council [RR-049] suggests that the Lafarge Aggregates quarry at Mangreen should have been considered as an option for the onshore HVDC converter/HVAC substation.</p> <p>To what extent was the quarry site considered and, if it was considered, what were the reasons for rejecting it?</p>
Q1.1.15	Applicant	<p>Figure 3.8 of the ES [APP-094] shows the shortlisted options for locating the onshore HVDC converter/HVAC substation. The rejected option (Option A) is described as physically more constrained than the selected option.</p> <p>What are the relative advantages and disadvantages of the two shortlisted options in terms of landscape and visual impacts and other environmental impacts?</p> <p>Please provide further justification for the selection of Option B.</p>
Q1.1.16	Applicant	<p>Paragraph 3.5.1.7 of the ES [APP-058] states that a construction base may be required for stockpiling materials before delivery to the array area. It goes on to state that an onshore operations and maintenance base may be required to support the operational phase of the proposal.</p>

		<p>How have any environmental effects relating to these facilities been assessed?</p> <p>How would any mitigation of such effects be secured?</p>
--	--	---

2. Ecology – Offshore		
Ref	Question to	Questions
Q1.2.1	Applicant	<p>Tables 1.1 and 1.2 of the ES [APP-097] summarise the search area extents that have been used to evaluate the cumulative offshore and onshore impacts of the proposal.</p> <p>Please explain why you considered these areas to be sufficient with regard to the extent of the anticipated cumulative impacts.</p>
Q1.2.2	Natural England (NE)	<p>Paragraph 4.4.5 of NE’s representation [RR-097] states that the consideration of each phase in isolation failed to consider cumulative impacts over time.</p> <p>Please explain why the approach outlined in paragraph 12.7.1.14 of the ES [APP-072] and paragraph 11.7.2.6 of the ES [APP-083] is not adequate.</p>
Q1.2.3	NE	<p>Paragraph 4.2.4 of NE’s representation [RR-097] states that it is unclear whether the best available evidence was used to determine impact and refers to unspecified offshore wind farm projects where actual construction impacts have been significantly greater than those predicted.</p> <p>Please direct us to the evidence that shows that the actual impacts from historic projects have been greater than the modelled impacts and explain how these examples relate to the assessments for Hornsea Project Three and the requirements in the draft Development Consent Order (dDCO)[APP-027].</p>

Q1.2.4	Applicant	<p>Paragraph 2.7.1.3 of the ES [APP-062] states that the inshore section of the cable corridor is characterised by sub-cropping rock at a depth of 0.2 to 3m.</p> <p>How has this informed the estimated extent of cable protection that would be required, as set out in paragraph 3.6.10.7 of the ES [APP-058]?</p>
Q1.2.5	Applicant	<p>Paragraph 3.6.6.8 of the ES [APP-058] states that up to 10% of the array cable length may need protection and the same estimate has also been applied to the protection that may be required along the cable export corridor in paragraph 3.6.10.7.</p> <p>What is the evidential basis for this estimate?</p>
Benthic		
Q1.2.6	NE, Marine Management Organisation (MMO)	<p>Table 2.38 of the ES [APP-062] states that the introduction of hard substrates associated with foundations, scour protection and cable protection would only lead to a minor adverse impact.</p> <p>Do you agree that there are unlikely to be significant changes in the composition of epifaunal and infaunal communities as a result of the introduction of hard substrates?</p>
Q1.2.7	Applicant	<p>Paragraph 2.11.2.3 of the ES [APP-062] states that up to 25% of the cable protection would be replenished during the operational phase of the project.</p> <p>Why do you consider that the 'worst case scenario' of 25% cable protection replenishment is appropriate and what justification do you have for concluding that it would not be greater?</p> <p>Please explain the justification for the assumption that replenishment would only occur in areas of existing cable protection.</p> <p>If you have relied on experience from previous projects then please provide further details.</p>

Q1.2.8	NE, MMO	<p>Table 2.38 of the ES [APP-062] states that the risk of spreading invasive and non-native species is minor adverse to negligible.</p> <p>Do you agree with this assessment of the risk to benthic communities from invasive and non-native species?</p>
Q1.2.9	Applicant	<p>Paragraph 4.1 of the MMO's representation [RR-085] observes that the turbines would be painted every 10 years and that this would require preparation to break down existing surface coatings and any associated corrosion.</p> <p>As this would lead to material entering the benthic environment, how has this effect been assessed in the ES?</p>
Q1.2.10	Applicant	<p>Table 2.1 of the ES [APP-062] states that the 'likely rates of recovery' of benthic communities have been assessed as required by paragraph 2.6.113 of NPS EN-3. Paragraph 2.9.2.2 goes on to state that impacts on Valued Ecological Receptors (VER) have been informed by 'best available evidence'.</p> <p>Please explain the sources of this evidence.</p> <p>Has this evidence been derived from schemes that are comparable, for example in relation to substrates, marine processes, foundation types and scale of project?</p> <p>Is there any peer reviewed scientific evidence to justify the assumed recovery times?</p> <p>Have previous schemes adopted pre-construction corridor clearance techniques of a similar scale?</p> <p>If modelling has been used please provide a summary of the assumptions of those models and</p>

		how they were tested.
Q1.2.11	Applicant	<p>Paragraph 2.3.1.1 of the ES [APP-062] defines the extent of the benthic ecology study area which includes the former Hornsea Zone with a 5 km buffer and an area defined by the boundaries of the Southern North Sea Natural Area.</p> <p>Why is the inclusion of these areas in the assessment process justified having regard to the extent of the likely significant effects from the project?</p>
Q1.2.12	Applicant	<p>The benthic grab locations shown in figure 2.4 of the ES [APP-062] indicate that no samples of the nearshore cable corridor re-route were obtained. Paragraph 2.6.1.4 of the ES [APP-062] states that a combination of site specific and desktop survey data were deemed adequate by the EWG.</p> <p>Representations from Natural England [RR-097], the MMO [RR-085] and the Eastern Inshore Fisheries and Conservation Authority (EIFCA) [RR-070] question the assumption that the benthic habitats in the re-route are likely to be the same as those sampled elsewhere.</p> <p>Please explain the scientific justification for the assumption that the survey effort was adequate.</p>
Q1.2.13	NE, MMO, EIFCA	<p>Representations from NE [RR-097], the MMO [RR-085] and the EIFCA [RR-070] suggest that there is a need for additional survey data to be collected for the nearshore cable corridor re-route.</p> <p>Please explain why historical data are insufficient and state what, in your view, would be required to provide an adequate baseline.</p>
Q1.2.14	The Wildlife Trusts (TWT)	TWT's representation [RR-047] states that more realistic expectations of cable burial and protection within The Wash and North Norfolk Coast Special Area of Conservation are



		<p>required.</p> <p>Please provide further justification for your view that the assessments in the application documents are not realistic.</p> <p>What reasonable measures should, in your view, be taken to remedy this situation?</p>
Q1.2.15	NE	<p>Paragraph 5.4.13 of NE's representation [RR-097] states that there are outstanding questions regarding how the survey data have been analysed and interpreted. Errors have been noted in the results and the significance of potential impacts on biotopes and VER.</p> <p>Please identify the nature of these errors and the implications that you think this has for the findings of the ES.</p>
Q1.2.16	Applicant	<p>Paragraph 2.4.3.2 of the ES [APP-102] states that the mini-Hamon grab sample size that was used for macrofaunal analysis was 0.1 m².</p> <p>What proportion of the total benthic study area was surveyed and how was the sample size statistically determined to ensure that it was representative?</p> <p>Please explain the justification for the sampling strategy with reference to empirical measures of the heterogeneity and spatial grain of benthic habitats.</p> <p>How does the sampling intensity reflect the observed spatial distribution of key benthic habitats, such as <i>Sabellaria</i> reefs?</p>
Q1.2.17	Applicant, NE	<p>Table 2.18 of the ES [APP-062] states that cables would be micro-sited through areas of 'lower quality' <i>Sabellaria</i> reef. Paragraph 2.7.1.19 of the ES [APP-062] acknowledges that this is a widespread benthic feature with potential for occurrence in the array and cable corridor areas.</p>

		How effective is this mitigation measure likely to be given the widespread distribution of this habitat?
Q1.2.18	Applicant	<p>Paragraph 5.4.3 of NE's representation [RR-097] highlights the potential use of the Joint Nature Conservation Committee <i>Sabellaria</i> reef layer.</p> <p>Why was this digital reef layer not used to determine the extent of this feature and, if it had been, how would this have altered the findings of the ES?</p> <p>How does an additional area of reef that has been identified since the analysis was completed alter the findings of the ES?</p>
Q1.2.19	NE	<p>Paragraph 5.4.4 of NE's representation [RR-097] states that the 'core reef approach' that was used to assess impacts on the North Norfolk Sandbanks and Saturn Reef Special Area of Conservation (SAC) did not follow published guidance.</p> <p>Please explain how the adopted approach differs from the published guidance.</p> <p>How is any difference in approach likely to have affected the findings of the ES?</p>
Q1.2.20	Applicant, NE, MMO	<p>Paragraph 2.7.1.19 of the ES [APP-062] states that <i>Sabellaria</i> reefs are 'likely to be ephemeral'.</p> <p>What peer reviewed literature supports this assumption?</p> <p>Is it possible that the observed changes in distribution are attributable to regular loss of reefs from bottom trawling?</p> <p>Given the observed ephemerality, would pre-construction surveys be effective in mitigating</p>

		<p>potential impacts?</p> <p>Please could NE and the MMO comment on whether they agree that the reefs are likely to be ephemeral and whether it is reasonable to consider them as having medium recoverability.</p>
Q1.2.21	Applicant	<p>Paragraph 2.11.1.20 of the ES [APP-062] states that 25,000 m² of Habitat E would be lost which would amount to approximately 30% of the Habitat E area within the Hornsea Project Three benthic ecology study area. Paragraph 2.11.1.23 goes on to state that the magnitude of impact associated with the temporary loss of all benthic habitats during the construction phase would be minor.</p> <p>Given that the temporary loss of all other VER (Habitats A-D) would be around 3%, how is the magnitude of the predicted temporary loss of Habitat E justified as also being minor?</p>
Q1.2.22	Applicant	<p>Paragraph 4.6 of the MMO's representation [RR-085] states that the VER would respond differently to the impacts arising from sediment disturbance, sandwave removal and smothering.</p> <p>The applicant is asked to comment on this point and to consider how separate significance ratings would alter the conclusions of the ES.</p>
Q1.2.23	Applicant	<p>Table 2.7 of the ES [APP-062] indicates that two benthic survey reports were more than 10 years old and that only one had been published in the last 3 years. Paragraph 2.6.1.2 states that this was deemed 'largely appropriate' by the expert working group.</p> <p>Please provide a justification of how these data provide a robust baseline from which to predict the likely benthic impacts of the proposal.</p>
Q1.2.24	Applicant	<p>Paragraph 5.4.11 of NE's representation [RR-097] states that the benthic analyses were not appropriate for characterising the Markham's Triangle proposed Marine Conservation Zone.</p>

		The applicant is asked to comment on this point.
Q1.2.25	TWT	<p>Paragraph 2.7.1.22 of the ES [APP-062] states that no ocean quahog (<i>Arctica islandica</i>) were recorded in the Hornsea Project Three area and that only a limited number of juveniles were recorded in the wider Hornsea Zone.</p> <p>What empirical evidence is there to suggest that the potential impacts on this widely distributed species would be significant?</p>
Q1.2.26	Applicant	<p>Paragraphs 2.11.2.116 and 2.11.2.117 of the ES [APP-062] predict that the impact on VER would be long term, continuous and irreversible for the lifetime of Hornsea Project Three. Paragraphs 2.11.2.120 and 2.11.2.121 go on to state that Habitats B, D and E have high intolerance to changes in water flow.</p> <p>How is the low-medium sensitivity of Habitats B, D and E justified under these circumstances?</p> <p>How has the impact of residual structures that would remain after decommissioning been assessed?</p>
Q1.2.27	Applicant	<p>Paragraph 2.11.1.7 of the ES [APP-062] states that the temporary habitat loss resulting from unexploded ordnance clearance would be within the 15 m cable burial corridor.</p> <p>What evidence supports this assumption?</p>
Q1.2.28	Applicant	<p>Paragraph 2.7.6.4 of the ES [APP-062] states that data limitations are such that the biotope map should not be interpreted as describing definitive areas.</p> <p>Given that the site-specific survey carried out along the export cable corridor within the Wash and North Norfolk SAC is limited in nature, what confidence can be attached to the mapping of</p>

		<p>the biotopes within the SAC?</p> <p>How is uncertainty addressed in the approach that has been taken in the ES?</p>
Q1.2.29	NE	<p>Paragraph 5.1.2.8 of the Marine Conservation Zone Assessment [APP-104] outlines the potential impacts on the Cromer Shoals Chalk Bed Marine Conservation Zone.</p> <p>Why do you think that this, together with other parts of the ES, does not adequately consider the worst case scenario associated with horizontal direct drilling operations?</p>
Q1.2.30	NE	<p>NE's representation [RR-097] states that the features of the Markham's Triangle proposed Marine Conservation Zone (pMCZ) should be assessed separately rather than by using one feature as a proxy. However, the applicant has provided a Marine Conservation Zone Assessment [APP-104] which includes an assessment of individual features of the pMCZ.</p> <p>If you do not consider this assessment to be adequate, please explain why.</p> <p>How, in your view, should the assessment have been carried out?</p> <p>How would the outcome of the assessment be altered if the features were assessed individually rather than by using one feature as a proxy?</p>
Q1.2.31	NE	<p>Paragraph 5.4.8 of NE's representation [RR-097] states that the Relevant Authority will need to carry out a full Marine Conservation Zone assessment.</p> <p>Please supply the conservation objectives, operational advice and a sensitivity analysis for the Markham's Triangle pMCZ.</p> <p>If this information is not available, please advise on what information should be used to inform a Marine Conservation Zone assessment for Markham's Triangle pMCZ.</p>

		Are you in agreement with the Applicant's approach of using the conservation objectives for the Cromer Shoals Chalk Beds Marine Conservation Zone?
Q1.2.32	NE, MMO, TWT	<p>Paragraph 2.12.2.3 of the ES [APP-062] identifies a number of impacts that have been scoped out of the cumulative impact assessment.</p> <p>Do you agree with the decision not to assess certain impacts on benthic ecology receptors within this assessment or within the HRA in-combination assessment for the North Norfolk Sandbanks and Saturn Reef Special Area of Conservation?</p> <p>If not, why not?</p>
Q1.2.33	Applicant	<p>Paragraph 2.13.2.19 of the ES [APP-062] only considers the magnitude of impact on the sandbank Annex I feature of the North Norfolk Sandbanks and Saturn Reef SAC.</p> <p>Why is there no cumulative impact assessment of the second Annex I feature of the SAC, namely the <i>Sabellaria</i> reef?</p>
Q1.2.34	Applicant	<p>Paragraph 2.13.2.28 of the ES [APP-062] identifies cumulative suspended sediment impacts on VER. Section 2.13.3 also identifies the cumulative long term loss of VER as a result of foundations, scour protection and cable protection. In both instances the significance of the effect is defined as minor adverse.</p> <p>Given the high sensitivity of the VER, please explain why the significance of the effect has not been classified as 'minor or moderate' as defined in table 2.17 of the ES?</p> <p>If it were classified in this way, how would this alter the findings of the ES?</p>
Q1.2.35	Applicant	Paragraph A.6 of NE's representation [RR-097] and paragraphs 1.65 to 1.69 of the MMO's

		<p>representation [RR-085] highlight issues with monitoring before and after the construction phase.</p> <p>Please comment on the points that have been raised and suggest any changes that may be necessary to the DMLs.</p>
Q1.2.36	Applicant	<p>Table 2.18 of the ES [APP-062] states that 'appropriate measures' will be discussed with statutory consultees to avoid direct impacts and this is repeated in a number of other instances.</p> <p>Please explain what you mean by appropriate measures.</p> <p>How would a duty to consult and the resultant implementation of any recommendations be controlled through the dDCO and DMLs?</p>
Ornithology		
Q1.2.37	Applicant	<p>The Band Model assumes the lowest astronomical tide (LAT) and a gap of around 35m between the turbine blades and the sea.</p> <p>How has the modelling accounted for bird strike for low flying species, such as gannets, under conditions of high swell which may reduce the gap?</p> <p>How does the model take account of changes in tidal height which may also reduce the gap?</p> <p>Is the model realistic in this respect and what information has been used to justify the use of LAT?</p>
Q1.2.38	NE, Royal Society for the Protection	<p>Representations from NE [RR-097], RSPB [RR-113] and the MMO [RR-085] consider that an appropriate site specific baseline has not been established.</p>

	of Birds (RSPB), MMO	<p>Why do you consider that two years of survey data is essential to provide an appropriate baseline?</p> <p>Given the potential for the variability in the number and distribution seabirds, what increased confidence would be provided by an additional 8 months of data?</p>
Q1.2.39	Applicant	<p>Paragraph 1.3.2.4 of the ES [APP-107] states that the project analysed boat-based and aerial survey data collected between 1979 and 2011. Paragraph 1.3.3.2 goes on to highlight the 'acute negative impacts' of climate driven changes on marine food webs.</p> <p>What are the likely effects of climate change, since 2011, on this baseline and how might this affect the conclusions of the ES?</p>
Q1.2.40	Applicant	<p>Paragraph 5.2.1 of NE's representation [RR-097] states that only 10% of the digital aerial survey data that covers the study area has been used.</p> <p>Please confirm the extent of your analysis of aerial data and explain why you consider that it is appropriate.</p>
Q1.2.41	Applicant	<p>Paragraph 2.6.1.5 of the ES [APP-110] states that the analysis of four long transects produced a representative sample of bird density.</p> <p>What is the statistical basis for assuming that this sample was representative?</p>
Q1.2.42	NE	<p>Paragraph 5.2.2 of NE's representation [RR-097] states that the hierarchical data selection method for integrating densities/numbers of species derived from digital aerial and boat-based survey data is flawed.</p> <p>Please explain in more detail why you consider the method to be flawed.</p>

		What, in your view, are the implications for the findings of the ES and HRA?
Q1.2.43	Applicant	<p>Paragraph 2.7.1.1 of the ES [APP-110] defines a formula for the calculation of a coefficient of variation for pooled density estimates.</p> <p>Was the variance for the different density estimates the same for each month for the digital aerial surveys and the boat-based surveys when used?</p> <p>If not, how would this affect the robustness of this statistic?</p>
Q1.2.44	Applicant	<p>Paragraph 2.7.1.2 of the ES [APP-110] states that the calculation of upper and lower confidence intervals assumed a normal distribution about the mean.</p> <p>How has this assumption been tested?</p>
Q1.2.45	Applicant	<p>Figure 5.1 of the ES [APP-065] shows four different ornithological study areas.</p> <p>Please provide a diagram that depicts the different areas and sampling intensity of the digital aerial survey and boat-based surveys with the boundaries of the different ornithological study areas clearly indicated.</p>
Q1.2.46	Applicant	<p>Figure 5.7 of the ES [APP-065] shows gannet foraging density kernels that have been derived from satellite tracking studies.</p> <p>Please provide a revised figure that also shows the array area and export cable corridor.</p>
Q1.2.47	Applicant	<p>Paragraph 1.3.2.8 of the ES [APP-107] describes the importance of the 'Flamborough Front' and paragraph 1.3.2.10 goes on to stress the importance of Dogger Bank and Brown Ridge as key feeding areas.</p>

		How have the nutrient upwellings and greater primary productivity associated with these areas informed the Valued Ornithological Receptors mean density surfaces and the conclusions of the ES?
Q1.2.48	Applicant	<p>Paragraph 1.3.2.18 of the ES [APP-107] states that seabird abundance is influenced by three large geographic sectors, as shown in figure 1.3.</p> <p>Please elaborate on the relevance of this broad classification in terms of its influence on the distribution and abundance of prey items at the scale of the array and cable export corridor.</p> <p>Please explain how this has informed the conclusions you have reached in the ES.</p>
Q1.1.49	Applicant	<p>Paragraph 1.6.1.2 of the ES [APP-107] states that species occurring in the Hornsea Project Three array area were identified using site-specific aerial surveys whilst those within the cable corridor were identified as part of the designation process for the Greater Wash pSAC.</p> <p>Please elaborate on what data were used to establish the baseline populations for the export cable corridor.</p>
Q1.2.50	Applicant	<p>Table 1.4 of the ES [APP-107] shows the definition of biological seasons for the species that may be affected by the proposal.</p> <p>Why have you not used the standard definition of biological seasons as set out in Furness (2015) and recommended by NE and RSPB?</p> <p>If the standard definition were used, how would this alter the findings of the ES?</p>
Q1.2.51	NE	Paragraph 5.2.6 of NE's representation [RR-097] states that a considerably higher confidence and emphasis should be placed on the use of colony data to inform colony specific breeding seasons.

		<p>Please explain why more confidence should be placed on colony specific data rather than 'at sea' abundance data to define the length of the breeding season.</p> <p>Please provide a summary of the key findings and associated caveats of any peer reviewed evidence that supports your view.</p> <p>How would the use of colony data most likely alter the findings of the ES and the HRA?</p>
Q1.2.52	Applicant, NE	<p>The RSPB [RR-113] considers that herring gull should not have been scoped out of the impact assessment.</p> <p>Please can the Applicant comment on this point.</p> <p>Does NE think that herring gull should have been identified as a Valued Ornithological Receptor?</p> <p>If not, why not?</p>
Q1.2.53	NE, RSPB	<p>Paragraph 5.9.2.12 of the ES [APP-065] states that displacement effects along the cable corridor were assessed using seasonal mean population data derived from Lawson and others (2015).</p> <p>Do you agree that this survey data should be used to calculate displacement from the export cable corridor?</p>
Q1.2.54	NE	<p>Paragraph 5.2.5 of NE's representation [RR-097] states that there is a need to account for uncertainty associated with natural variability and the underlying data sources.</p> <p>Please explain how you would expect to see the information on uncertainty and the variability</p>

		of input parameters, such as bird densities, incorporated into the assessment of displacement effects?
Q1.2.55	Applicant	<p>Table 1.4 of the ES [APP-109] expresses hub height in metres above the Highest Astronomical Tide (HAT) rather than metres above the Lowest Astronomical Tide (LAT).</p> <p>If LAT were used as a parameter rather than HAT how would this alter the findings of the ES?</p>
Q1.2.56	NE	<p>Paragraph 5.9.3.4 of the ES [APP-065] refers to the use of mean estimate/maximum likelihood methods to estimate collision risk.</p> <p>Please explain in more detail why you consider that these methods do not account sufficiently for variability and uncertainty within the collision risk modelling (CRM)?</p>
Q1.2.57	Applicant	<p>Paragraph 5.9.3.4 of the ES [APP-065] states that it would be inappropriate to apply lower and upper confidence intervals for all parameters in the CRM.</p> <p>Please explain why, with reference to statistical inference, this would provide unrealistic estimates of the collision risks associated with the proposal.</p> <p>Why were only bird density and flight height selected as the parameters for the upper and lower confidence intervals of the CRM?</p>
Q1.2.58	Applicant	<p>Paragraph 5.13.3.93 of the ES [APP-65] states that correction factors were applied to the CRM for different species.</p> <p>Please provide a copy of the publication that underpins these corrections (MacArthur Green (2017) - Estimates of Ornithological Headroom in Offshore Wind Farm Collision Mortality. The Crown Estate).</p>

Q1.2.59	NE	<p>Paragraph 5.2.3 of NE's representation [RR-097] questions the way in which nocturnal activity factors (NAF) have been applied to some species in the CRM.</p> <p>Please explain why you consider that the parameterisation of NAFs is wrong.</p> <p>How do you say it should be improved?</p> <p>Can you refer to any appropriate peer reviewed literature to support your view?</p>
Q1.2.60	Applicant	<p>The RSPB [RR-113] questions the changes in NAF for kittiwake and gannet.</p> <p>Please comment on the points made by the RSPB and justify your approach.</p> <p>Can you refer to any appropriate peer reviewed literature to support your view?</p>
Q1.2.61	NE, RSPB	<p>Appendix B of the ES [APP-109] outlines the approach to CRM that was applied to migratory seabirds.</p> <p>Notwithstanding your concerns about the baseline data and model parameterisation, do you agree with the underlying approach that was used for the CRM for migratory seabirds?</p> <p>If not, why not?</p>
Q1.2.62	Applicant	<p>Paragraph 1.3.2.2 of the ES [APP-109] states that ongoing research is looking at the avoidance behaviour of seabirds at offshore wind farms.</p> <p>Please can you provide a summary of any peer reviewed publications or empirical observations that have been published since the application was submitted and highlight any implications that this might have for the CRM parameterisation.</p>

Q1.2.63	Applicant	<p>Section 3 of the ES [APP-110] contains species accounts that apply analytical results to displacement analysis and CRM for key species.</p> <p>Why are there no tables showing seasonal means for black-legged kittiwake, lesser black-backed gull and great black-backed gull?</p>
Q1.2.64	NE, RSPB	<p>Appendix C of the ES [APP-109] outlines the approach to CRM that was applied to migratory water birds.</p> <p>Notwithstanding your concerns about the baseline data and model parameterisation, do you agree with the underlying approach that was used for the CRM for migratory water birds?</p> <p>If not, why not?</p>
Q1.2.65	NE, RSPB	<p>Paragraphs 5.11.2.84, 5.11.2.205 and 5.11.2.221 of the ES [APP-065] identify the potential impacts associated with habitat loss, barrier effects and lighting.</p> <p>Notwithstanding your concerns about the baseline data, do you agree with the underlying approach that has been used to assess these impacts and the resulting conclusions?</p> <p>If not, why not?</p>
Q1.2.66	NE, RSPB	<p>Paragraph 5.13.3.29 of the ES [APP-065] outlines the difficulties of evaluating the cumulative effects on the non-breeding component of the North Sea razorbill population.</p> <p>Do you agree that the complexities of the razorbill population structure preclude attempts to compare predicted displacement effects?</p> <p>If you do not agree, how might such an assessment be undertaken?</p>



Q1.2.67	NE, RSPB	<p>Paragraph 5.9.2.9 of the ES [APP-065] highlights guidance that recommends the use of a 4km buffer for divers and sea ducks. Paragraph 5.9.2.10 goes on to state that the displacement analysis for the cable corridor only included a 2km buffer.</p> <p>Do you agree with the choice of buffer zone for the cable corridor given the presence of common scoter and red-throated diver?</p>
Q1.2.68	Applicant	<p>Table 5.8 of the ES [APP-065] states that the maximum design scenario (MDS) for direct displacement or disturbance would be a duration of eight years, assuming a two phase construction programme.</p> <p>Please explain why this was chosen as the MDS.</p> <p>Why would disturbance and displacement be any greater than it would for two consecutive phases given that the absolute period over which construction activity would take place would be the same?</p>
Q1.2.69	Applicant, NE, RSPB	<p>Paragraph 1.3.3.2 of the ES [APP-108] outlines how predicted displacement mortality was evaluated when it exceeds a 1% background threshold. Paragraph 5.9.4.1 of the ES [APP-065] sets out the impact assessment criteria.</p> <p>Please can the Applicant explain how these two approaches relate to one another in the determination of the significance of effects in section 5.9.4 of the ES [APP-065].</p> <p>Please can the Applicant explain how the levels of background mortality have been derived and outline any peer-reviewed, empirical evidence that supports the approach.</p> <p>Do NE and RSPB agree with the comparison of predicted mortality against background mortality as a means of determining the significance of any negative effects on bird populations?</p>

		<p>If NE and/or RSPB do not agree, how might such an assessment be undertaken?</p> <p>Are NE and RSPB satisfied with the way in which the predicted seasonal mortality has been presented in section 1.4 of the ES [APP-108]?</p>
Q1.2.70	NE, RSPB	<p>Table 5.9 of the ES [APP-065] summarises the assessment criteria for displacement effects and mortality rates for the array area.</p> <p>Do you agree with the displacement and mortality rates and if not, what values would you recommend?</p>
Q1.2.71	Applicant	<p>Table 5.17 of the ES [APP-065] summarises the displacement mortality for red-throated diver for the cable corridor area.</p> <p>Please provide the equivalent tables for fulmar, gannet, puffin, razorbill and guillemot for the cable corridor and array areas.</p>
Q1.2.72	NE	<p>Paragraph 5.2.4 of Natural England's representation [RR-097] highlights a concern over the mean seasonal peaks that were used to calculate displacement mortality for gannet and puffin.</p> <p>Please explain why you consider that the values that have been used are inadequate.</p> <p>What effect do you think this is likely to have had on the impact assessment and the HRA?</p>
Q1.2.73	Applicant	<p>Paragraph 5.11.2.115 of the ES [APP-065] states that the collision risk for gannets is negligible. Paragraph 5.11.2.107 states that more than 1% of the regional breeding population would be affected if flight height data are considered. A lower mortality rate is also given in paragraph 5.11.2.106.</p>

		Please explain these apparently contradictory statements.
Q1.2.74	Applicant	<p>Paragraph 5.2.3 of NE's representation [RR-097] raises concerns over the application of Option 3 of the Extended Band Model in estimating the collision risk to gannet, kittiwake, lesser black-backed gull and great black-backed gull.</p> <p>Please explain how the assessment of the significance of the effects of collision related mortality would alter if the assessment were based solely on the outcomes of the Basic Band Model, Option 2, using the avoidance rates recommended by the Statutory Nature Conservation Bodies.</p>
Q1.2.75	Applicant, NE, RSPB	<p>Paragraph 5.7.2.95 of the ES [APP-065] states that the maximum foraging distance for kittiwake was determined from published evidence in Thaxter and others (2012).</p> <p>Could the Applicant explain how these estimates have been derived and to what extent they have been validated by satellite tracking data for the Valued Ornithological Receptors that may be affected by the project?</p> <p>Are NE and RSPB satisfied that the estimated maximum foraging distances are robust?</p>
Q1.2.76	Applicant	<p>Paragraph 5.12.1.13 of the ES [APP-065] specifies a range of other offshore activities that may either have a direct or indirect impact on birds. Table 5.38 lists other projects and plans that have been considered as part of the cumulative effects assessment (CEA) but only includes offshore windfarms.</p> <p>Please explain if non-windfarm projects have been included in the CEA for offshore ornithology and explain the rationale for their selection or exclusion.</p>
Q1.2.77	Applicant	Paragraph 5.13.2.4 of the ES [APP-065] states that the installation of offshore elements of

		<p>Hornsea Three would take 11 years assuming a two phase construction.</p> <p>Please explain the apparent inconsistency with table 5.8 which gives a maximum construction duration of 8 years.</p> <p>Please explain which construction duration has been used in the CEA and why.</p>
Q1.2.78	Applicant	<p>Section 5.13 of the ES [APP-065] outlines the methodology for the cumulative effect of other offshore wind farms.</p> <p>Please explain how the cumulative effect of wind farms that could become operational before or during the construction of Hornsea Three, such as East Anglia One or Hornsea Project One, have been taken into account.</p>
Q1.2.79	Applicant	<p>Table 5.38 of the ES [APP-065] groups projects into tiers depending on the stage that each project has reached. The Norfolk Vanguard and Thanet Extension offshore wind farms have recently been accepted for examination by the Planning Inspectorate, making them Tier 2 projects.</p> <p>Please provide an updated CEA that takes into account the Norfolk Vanguard and Thanet Extension offshore wind farms as Tier 2 projects.</p>
Q1.2.80	Applicant	<p>Section 5.13.3 of the ES [APP-065] outlines the cumulative effects of displacement during the operational phase of the proposal.</p> <p>Please provide the predicted increase in baseline displacement mortality, as a result of cumulative operational displacement effects, during the breeding season for puffin, razorbill, guillemot and gannet.</p>
Q1.2.81	Applicant	<p>Representations from NE [RR-097] and RSPB [RR-113] raise a number of concerns about the</p>



		<p>CEA and the use of correction factors in the Extended Band Model.</p> <p>Please provide the following details for cumulative effects (including the effects from Norfolk Vanguard and Thanet Extension) on gannet, kittiwake, lesser black-backed gull and great black-backed gull:</p> <p>A seasonal breakdown of predicted cumulative collision related mortality using the Extended Band Model which has not had correction factors applied to account for an over-estimate of nocturnal activity and the increase in baseline mortality that would result from this predicted impact.</p> <p>A seasonal breakdown of predicted cumulative collision related mortality using the Extended Band Model which has not had correction factors applied to account for an over-estimate of nocturnal activity or to account for the difference between assessed and consented turbines and the increase in baseline mortality that would result from this predicted impact.</p> <p>A seasonal breakdown of predicted cumulative collision related mortality using Option 2 of the Basic Band Model and the avoidance rates recommended by the statutory nature conservation bodies and the increase in baseline mortality that would result from this predicted impact.</p> <p>A seasonal breakdown of predicted cumulative collision related mortality using Option 2 of the Basic Band Model and the avoidance rates recommended by the statutory nature conservation bodies which has not had correction factors applied to account for an over-estimate of nocturnal activity and the increase in baseline mortality that would result from this predicted impact.</p> <p>A seasonal breakdown of predicted cumulative collision related mortality using Option 2 of the Basic Band Model and the avoidance rates recommended by the statutory nature conservation bodies which has not had correction factors applied to account for an over-estimate of nocturnal activity or to account for the difference between assessed and consented turbines</p>
--	--	---

		<p>and the increase in baseline mortality that would result from this predicted impact.</p> <p>Please provide the same information for potential in-combination effects on the gannet and kittiwake features of the Flamborough and Filey Coast proposed SPA.</p>
Q1.2.82	NE	<p>Paragraph 5.2.7 of NE's representation [RR-097] states that the CEA should be applied across the whole annual cycle for each species at an appropriate scale.</p> <p>Please explain how you would expect to see such an assessment undertaken?</p>
Q1.2.83	Applicant	<p>Condition 11(d) of the Generation Assets DML and condition 12(d) of the Transmission Assets DML [APP-027] require the production of a Project Environmental Management and Monitoring Plan.</p> <p>Please submit an outline Project Environmental Management and Monitoring Plan.</p>
Q1.2.84	Applicant	<p>Paragraph 5.10.1.1 and table 5.16 of the ES [APP-065] state that there would be a number of 'designed-in' measures to reduce the potential for impacts on offshore birds with specific reference to a Code of Construction Practice.</p> <p>Why does the Outline Code of Construction Practice [APP-179] specifically exclude the offshore environment?</p>
Marine Mammals		
Q1.2.85	Applicant	<p>Paragraph 4.11.2.25 of the ES [APP-064] states that there are no burial depths that would reduce the magnitude of the magnetic field of cables within the array and export corridor. Paragraph 4.11.2.28 and table 4.53 indicate that the strength of the emitted magnetic field would not exceed the 50 uT background for the North Sea.</p> <p>What empirical observations were used to validate the model?</p>

		What assumptions were made about the design of cables in relation to conductive sheathing and transmission load?
Q1.2.86	Applicant	<p>Paragraph 4.7.2.23 of the ES [APP-064] states that the highest density of grey seal 'at sea usage' is near Donna Nook haul-out site and the Wash.</p> <p>Is it possible that these findings reflect a higher survey effort in areas near coastal nature reserves associated with this species?</p>
Q1.2.87	NE	<p>Paragraph 5.5.1 Paragraph of NE's representation [RR-097] refers to a lack of 'at source' mitigation of piling noise. Paragraph 4.11.1.39 of the ES [APP-064] refers to the Joint Nature Conservation Committee piling mitigation protocol.</p> <p>Why do you consider that this would not ensure adequate mitigation?</p>
Q1.2.88	Applicant	<p>Paragraph 5.5.1 of NE's representation [RR-097] states that no consideration has been given to pile driving noise reduction measures at source. This point has also been raised in a number of other relevant representations.</p> <p>Please explain what, if any, methods have been considered to reduce noise at source?</p> <p>Why have you chosen not to include noise-reduction mitigation methods at source as a firm commitment?</p>
Q1.2.89	Applicant	<p>Paragraph 4.11.1.84 of the ES [APP-064] states that the number of harbour porpoises affected by the proposal would be 4,046 but this value is not shown in table 4.32.</p> <p>Please explain how this value is derived and how it relates to the values in table 4.32.</p>

Q1.2.90	Applicant	<p>Figures 4.13 and 4.14 of the ES [APP-064] shows an aggregation of harbour porpoise in the array area that has been derived from both aerial and surface survey data.</p> <p>How has this aggregation informed the estimated magnitude and significance of disturbance effects?</p> <p>What biological process explains the observed pattern?</p> <p>Are there any high quality feeding grounds in the array area?</p> <p>If so, what would be the effect of displacement?</p> <p>If significant aggregations occur, how is the use of average densities justified?</p> <p>If a significant feeding ground is present, how would it alter the findings of the ES and HRA?</p>
Q1.2.91	Applicant	<p>Figure 4.17 of the ES [APP-064] shows that there would be a wider zone of influence for concurrent piling that would affect aggregations of harbour porpoise beyond the array area.</p> <p>How have these aggregations informed the estimated magnitude and significance of the disturbance effects?</p>
Q1.2.92	Applicant	<p>Paragraph 3.6.5.16 of the ES [APP-058] states that construction logs have been used to define the average pile hammer energy of 2,000 kJ.</p> <p>Would comparable piling equipment be used for Hornsea Project Three?</p> <p>If so, how would that be controlled in the dDCO?</p>
		HRA

Q1.2.93	NE	Please provide up-to-date conservation objectives, site improvement plans and supplementary advice for all offshore European sites which you consider are likely to experience significant effects as a result of the proposal.
Q1.2.94	Applicant	<p>Paragraphs 5.11.1.50 and 5.11.1.61 of the ES [APP-065] state that the effect of construction disturbance on razorbill and guillemot are currently unclear.</p> <p>How can you rule out adverse effects on the integrity of associated European sites when such impacts are uncertain?</p>
Q1.2.95	Applicant	<p>Paragraph 4.4.1.5 of the Report to Inform the Appropriate Assessment [APP-051] sets out the tiered approach that has been used for evaluating in-combination effects.</p> <p>It is noted that the in-combination assessment has not included projects that were operational at the time the Hornsea Project Three baseline data were collected. The 'evidence based approach' described in the ES includes historic data which may pre-date operational projects.</p> <p>Is it possible that some plans or projects which should be included in the in-combination assessment have been overlooked?</p>
Q1.2.96	NE	<p>Section 2 of NE's representation [RR-097] lists the European site features for which outstanding concerns remain.</p> <p>The features listed for Flamborough Head and Bempton Cliffs SPA include several which are listed as part on an overall assemblage. However, the conservation objectives for this site only refer to one qualifying feature which is a breeding population of black-legged kittiwake.</p> <p>Please explain this apparent discrepancy.</p> <p>A number of qualifying features are noted for which likely significant effects have been</p>

		<p>excluded:</p> <ul style="list-style-type: none"> • Flamborough and Filey Coast proposed SPA (pSPA) - fulmar, puffin, herring gull, cormorant and shag as part of the overall assemblage; • Greater Wash SPA - common tern and little tern; and • The Wash and North Norfolk Coast SPA - sandwich tern, common tern and little tern. <p>Please explain why you consider that these features would be subject to likely significant effects.</p> <p>Please confirm that there are no other European sites or features that should be included in the HRA other than those listed under Section 2.</p>
Q1.2.97	RSPB	<p>The RSPB [RR-113] states that the exclusion of likely significant effects on breeding guillemot and razorbill from Flamborough and Filey Coast pSPA is not supported by survey evidence because the Hornsea Project Three area is utilised by juveniles and non-breeding individuals.</p> <p>Please explain why you consider that the approach set out in the Report to Inform Appropriate Assessment, Annex 2 – Additional SPA Screening Exercise [APP-053] does not justify the exclusion.</p>
Q1.2.98	NE	<p>Paragraph 5.4.7 of NE’s representation [RR-097] refers to sub-features associated with the Wash and North Norfolk Coast Special Area of Conservation (SAC).</p> <p>Please list the sub-features of the sandbank feature.</p> <p>In your view, how should the assessment of site integrity take account of these sub-features?</p>
Q1.2.99	NE	<p>Paragraph 5.4.7 of NE’s representation [RR-097] states that other offshore wind farms that have routed their cables through The Wash and North Norfolk Coast SAC have had to</p>

		<p>undertake remedial works which may have caused further damage to the SAC.</p> <p>Please provide further details of the nature of the remedial works, the extent of the damage and the effect that you consider this has had on the integrity and conservation status of the SAC.</p>
Q1.2.100	Applicant	<p>Paragraph 5.4.7 of NE's representation [RR-097] states that there is a high risk of significant impacts to designated features of The Wash and North Norfolk Coast Special Area of Conservation from cable installation and associated activities and that the Worst Case Scenario (WCS) is inadequate.</p> <p>What is the empirical basis for your assumptions about the impacts of cable installation in this area of the North Sea?</p>
Q1.2.101	NE, MMO	<p>Paragraph 5.6.2.35 of the Report to Inform Appropriate Assessment [APP-051] states that the North Norfolk Sandbanks and Saturn Reef SAC sandbanks are dynamic and mobile and are therefore considered to have moderate levels of recoverability.</p> <p>Do you agree with this assessment of the recoverability of the SAC sandbank feature?</p> <p>Please refer to any peer reviewed evidence that may be available in support of your response.</p>
Q1.2.102	NE	<p>Paragraph 5.4.1 of the NE's representation [RR-097] states that the sandbank and reef features of the North Norfolk Sandbanks and Saturn Reef SAC are in an unfavourable condition.</p> <p>Do you consider that any other features of offshore European sites that are relevant to this application are currently in an unfavourable condition?</p>
Q1.2.103	Applicant	Effects on the integrity of The Wash and North Norfolk Coast SAC and the North Norfolk

		<p>Sandbanks and Saturn Reef SAC have been considered in relation to each of the impacts identified for the individual phases of the development.</p> <p>Please provide an assessment of the cumulative impact on the integrity of these SACs across the lifetime of the proposal.</p>
Q1.2.104	Applicant	<p>Paragraph 5.5.1.2 of the Report to Inform Appropriate Assessment [APP-051] states that material from sandwaves cleared within The Wash and North Norfolk Coast SAC would be deposited within the site boundary.</p> <p>How has this mitigation been secured in the dDCO and/or DMLs?</p>
Q1.2.105	Applicant	<p>Paragraph 6.5.2.66 of the Report to Inform Appropriate Assessment [APP-051] states that it would be unrealistic to assume that all piling would be during summer months. NE advised in its relevant representation [RR-097] that it did not agree with the approach of averaging the number of piling days per season when considering effects on the Southern North Sea candidate SAC (cSAC). Instead it suggests that more work is likely to occur during the summer months.</p> <p>Please provide an assessment of the effects on the Southern North Sea cSAC where all the piling is carried out by one vessel during the summer months.</p> <p>Please provide an assessment for two vessels undertaking concurrent piling during the summer months.</p>
Q1.2.106	Applicant	<p>Paragraph 5.5.9 of NE's representation [RR-097] highlights a lack of consideration of combined impacts in relation to disturbance from a range of noise generating activities.</p> <p>Please provide an assessment of the in-combination effects from noise generating activities during construction (piling, increased vessel noise and the clearance of unexploded ordnance</p>

		<p>(UXO)) on the integrity of the marine mammal features of the following:</p> <ul style="list-style-type: none"> • Berwickshire and North Northumberland Coast SAC; • The Southern North Sea cSAC; • The Wash and North Norfolk Coast SAC; and • The Humber Estuary SAC and Ramsar site.
Q1.2.107	TWT	<p>TWT [RR-047] considers that fishing activity should be included in the in-combination assessment rather than in the ES baseline.</p> <p>What is the justification for concluding that the effects of fishing activity are not captured by the current baseline assessment?</p> <p>Please provide further details of the judicial review proceedings you refer to in relation to what you refer to as 'Dogger Bank Wind Farms'.</p> <p>Who is it that you say gave assurances that fishing would be included in future offshore wind farm assessments?</p>
Q1.2.108	NE	<p>TWT [RR-047] considers that fishing activity should be included in the in-combination assessment rather than in the ES baseline.</p> <p>What is your view on this point?</p>
Q1.2.109	NE	<p>Paragraph 5.5.9 of NE's representation [RR-097] identifies the potential importance of considering the in-combination effects of other cable and pipeline installations in terms of UXO detonations within the Southern North Sea cSAC.</p> <p>Please explain how this effect could be meaningfully addressed given the significant uncertainties associated with the specific locations of UXO?</p>

Q1.2.110	Applicant	<p>Table 4.6 of the Report to Inform Appropriate Assessment [APP-051] refers to a UXO specific Marine Mammal Mitigation Plan that would mitigate the risk of physical or permanent auditory injury to marine mammals.</p> <p>How has this mitigation been secured in the dDCO and DMLs?</p>
Q1.2.111	TWT	<p>TWT [RR-047] states that the science underpinning underwater noise management is weak, difficult to deliver and does not encourage noise reduction.</p> <p>Please provide further information on the reasons for your concerns.</p> <p>In your view, what alternative noise impact mitigation would be effective?</p>
Q1.2.112	TWT	<p>TWT [RR-047] considers that management of underwater noise, detailed monitoring of noise levels and harbour porpoise population activity and strategic mitigation and monitoring should be managed at a regional or strategic level.</p> <p>In your view, how should this application contribute to such activities?</p>
Q1.2.113	NE	<p>Paragraph 5.5.3 of NE's representation [RR-097] states that, in addition to a Marine Mammal Mitigation Protocol, there should be a Site Integrity Plan to mitigate the impact of the proposal on harbour porpoise.</p> <p>Please explain what you would expect to see covered by such a plan and what additional benefits it would offer?</p>
Q1.2.114	NE, MMO, TWT, Whale and Dolphin	<p>Conditions 11(4) and 11(5) of the Generation Assets DML and 12(4) and 12(5) of the Transmission Assets DML [APP-027] seek to mitigate potential effects on marine mammals from piling operations.</p>

	Conservation	To what extent do you consider that this would be an effective approach?
Q1.2.115	Applicant	<p>Paragraph 5.2.10 of the NE's representation [RR-097] states that data relating to monthly age classes for breeding birds and the proportions of unaged birds were not provided.</p> <p>Please comment on NE's concerns and provide any additional data that may assist.</p>
Q1.2.116	RSPB	<p>RSPB [RR-113] does not agree with the apportioning rates used to evaluate the proportion of the guillemot, kittiwake and razorbill populations that have come from the Flamborough and Filey Coast pSPA, as specified in Annex 3 of the Report to Inform the Appropriate Assessment [APP-054].</p> <p>Please provide further explanation of your concerns about the apportioning rates that have been used.</p> <p>In your view, how should the apportioning rates have been established?</p> <p>What additional tracking data do you consider should have been taken into account?</p>
Q1.2.117	Applicant, NE	<p>Paragraph 5.2.8 of NE's representation [RR-097] states that the use of population viability assessment from Hornsea Project Two was not suitable to determine the impacts on the Flamborough and Filey Coast pSPA.</p> <p>Please could NE provide further detail on this point and indicate how it considers that the long-term effects on bird populations associated with the pSPA should be assessed?</p> <p>Why is the population viability analysis for kittiwake and gannet for 25 years when the project would have a 35 year operational phase?</p>

		Would the Applicant's approach lead to an underestimate of impact?
Q1.2.118	Applicant, NE	<p>The European Court of Justice has made a recent ruling which may have implications for the assessment of the integrity of European sites (case C-164/17 - <i>Reference for a preliminary ruling from Supreme Court (Ireland) made on 3 April 2017 – Edel Grace, Peter Sweetman v An Bord Pleanala</i>).</p> <p>Please could the Applicant and NE comment on any implications they think this judgement has for the appropriate assessment of this application in relation to offshore European sites.</p>

3. Marine Processes

Ref	Question to	Questions
n/a	n/a	The ExA has no questions on this issue at this stage. Effects on receptors affected by marine processes are covered in other sections.

4. Ecology – Onshore

Ref	Question to	Questions
Q1.4.1	Applicant	<p>Paragraph 3.5.4.1 of the ES [APP-094] outlines a number of modifications, as defined in figure 3.22, that were made to the onshore export cable route (ECR).</p> <p>What field surveys have been undertaken since the application was submitted to determine the significance of any onshore ecological impacts in the re-route areas as well as any additional mitigation measures that may be necessary?</p>

Q1.4.2	Applicant	<p>Table 1.10 of the ES [APP-073] states that there would be up to 105 minor and 15 major locations where Horizontal Directional Drilling (HDD) would be deployed and that site investigations would be carried out at each location to confirm that the underlying geology is suitable.</p> <p>Have site investigations been carried out for all HDD crossings and, if so, what are the conclusions in terms of their suitability for HDD?</p>
Q1.4.3	Applicant	<p>Paragraph 1.11.1.22 of the ES [APP-073] states that direct impacts on the principal aquifer may occur from deeper ground workings associated with HDD whilst paragraph 1.11.1.23 goes on to state that the depth of the HDD is likely to be contained within superficial deposits with limited 'downward migration' potential.</p> <p>Please clarify these apparently contradictory statements.</p> <p>Given the seemingly limited number of British Geological Survey boreholes, what level of confidence is there that there are impermeable superficial deposits at a thickness of 2m or more along the ECR?</p> <p>Which locations would require HDD at a depth greater than 2.5m?</p>
Q1.4.4	Applicant	<p>Paragraph 6.1.1.5 of the ES [APP-123] states that any bentonite break-outs that might occur from deeper HDD would be contained and that there would be a short recovery time.</p> <p>How would any such pollution be recovered either from the principal aquifer or from superficial perched pockets of shallower groundwater?</p> <p>Please provide an outline Bentonite Break-Out Plan.</p>
Q1.4.5	Natural England	<p>Paragraphs 5.6.1 and 5.6.2 of NE's representation [RR-097] state that there is insufficient information on groundwater flows to determine the hydrological impact of a nearby crossing point</p>



	(NE)	<p>[HDD 53] on Booton Common Site of Special Scientific Interest and Norfolk Valley Fens Special Area of Conservation.</p> <p>Why do you consider that section 4.7 of the ES [APP-127] is not sufficient in this regard?</p> <p>What further information do you think is required to determine whether there would be a hydrological impact on any of the interest features?</p>
Q1.4.6	Applicant	<p>Paragraph 5.6.8 of NE's representation [RR-097] states that a single flood event could overwhelm soil storage protection measures and deposit large amounts of sediment into watercourses. NE goes on to state that of the 11 intense rainfall events (>31 mm/day) in the last 26 years, 9 have been in the last 10 years.</p> <p>What run off control measures are envisaged to mitigate this type of event?</p> <p>How would this be secured through the dDCO?</p>
Q1.4.7	Applicant	<p>Paragraph B.2.4.2 of the Outline Code of Construction Practice [APP-179] states that bentonite settling lagoons may be used to accommodate drill arisings and slurry from HDD operations.</p> <p>How would you ensure that extreme rainfall events do not lead to spillages from these lagoons which may affect the River Wensum Special Area of Conservation (SAC), the Norfolk Valley Fens SAC and/or the Kelling Heath Site of Special Scientific Interest (SSSI)?</p>
Q1.4.8	Applicant	<p>Paragraph 3.6.12.4 of the ES [APP-058] states that a landfall construction compound would be required. The approximate location is shown on Sheet 1 of the Works Plan - Onshore [APP-013]. Paragraphs 3.7.2.49 and 3.7.2.50 of the ES [APP-075] indicate that breeding populations of little ringed plover and Cetti's warbler are present in the vicinity.</p> <p>What would be the effect of the siting and operation of the landfall construction compound on little</p>

		<p>ringed plover and Cetti's warbler?</p> <p>How would such effects be mitigated and controlled through the dDCO?</p>
Q1.4.9	South Norfolk Council	<p>Paragraph 2.2.7.3 of the Outline Ecological Management Plan [APP-180] states that a hedgerow survey was conducted along the cable corridor route according to the Hedgerow Survey Handbook Methodology 2007.</p> <p>What information is absent in relation to the identification of 'important' hedgerows under the Hedgerows Regulations 1997?</p>
Q1.4.10	Norfolk Wildlife Trust	<p>Norfolk Wildlife Trust's representation [RR-045] states that habitat disturbance would be less if the high voltage direct current (HVDC) option were used.</p> <p>Please explain why you consider that this would be the case.</p> <p>How do you think the findings of the ES would be altered if HVDC were selected?</p>
Q1.4.11	Applicant	<p>Paragraph 5.6.5 of NE's representation [RR-097] states that a significant bat population is present at the Alderford Common SSSI.</p> <p>To what extent would bat species associated with Alderford Common SSSI be affected by a loss of commuting and foraging routes?</p> <p>How would this affect the viability of the roost and the favourable conservation status of the species concerned?</p>
Q1.4.12	Applicant	<p>Paragraph 3.7.2.26 of the ES [APP-075] states that no reptile records were found in areas of permanent land take.</p>



		<p>Were there any records that coincided with the areas of temporary land take, including storage areas?</p> <p>If so, where were these located?</p>
Q1.4.13	Applicant	<p>Paragraph 5.6.10 of Natural England's representation [RR-097] states that no draft European Protected Species (EPS) licences had been submitted prior to the application submission.</p> <p>If any draft EPS licences have been submitted since the submission of the application, please provide copies of any Letters of No Impediment which have been issued.</p>
Q1.4.14	Applicant	<p>Paragraph 3.11.1.104 of the ES [APP-075] states that artificial hedgerows would be provided in areas of high bat activity.</p> <p>Please show where these measures would be deployed.</p> <p>What scientific evidence do you have concerning the effectiveness of such measures in maintaining commuting routes for the affected species?</p>
Q1.4.15	Applicant	<p>Paragraph 3.11.1.102 of the ES [APP-075] states that, in most cases, bats would be able to use alternative routes at 8 locations where important hedgerows would be lost.</p> <p>What scientific evidence do you have to support this assumption and how have you quantified the suitability of alternative routes?</p> <p>Given the proposed use of HDD at 37 hedgerow locations where bat activity is high, would it be appropriate to use the same approach at the remaining 8 locations?</p>
Q1.4.16	NE	<p>Paragraph 4.3.2.1 of the Outline Ecological Management Plan [APP-180] states that if a district-wide licensing approach for great crested newts is available to the project then this might reduce</p>

		<p>the requirement for pre-commencement surveys and specific mitigation measures such as exclusion fencing.</p> <p>What are your views on this statement?</p> <p>What is the likelihood that such a license would be granted in this instance?</p>
Q1.4.17	Applicant	<p>Paragraph 6.5.1.19 of the Outline Code of Construction Practice [APP-179] states that the impact of vegetation clearance on reptiles would be mitigated by 'gradual strimming of above-ground vegetation'.</p> <p>What level of risk is there that this method could kill reptiles that have emerged from hibernation with restricted movement due to low body temperature?</p> <p>Please explain the apparent inconsistencies with paragraphs 4.3.3.5 and 4.3.3.7 of the Outline Ecological Management Plan [APP-180].</p> <p>Why have these measures not been incorporated into the Outline Code of Construction Practice?</p>
Q1.4.18	Applicant	<p>Paragraph 4.3.6.6 of the Outline Ecological Management Plan [APP-180] states that all construction lighting in the vicinity of bat roosts should conform to guidelines produced by the Bat Conservation Trust.</p> <p>Should this be incorporated into the Outline Code of Construction Practice [APP-179]?</p> <p>Should this also be applied to key foraging and commuting routes?</p>
		HRA
Q1.4.19	Applicant	<p>Table 4.4 of the Report to Inform the Appropriate Assessment [APP-051] differs from the maximum design parameters listed in table 3.14 of the ES [APP-075].</p>



		<p>Please explain which values are correct for the number of link boxes and the dimensions of the substations and booster station.</p>
Q1.4.20	Applicant	<p>Paragraph 5.6.3 of NE's representation [RR-097] states that there is insufficient information to comment on the likely effectiveness of the pink-footed geese mitigation plan.</p> <p>Please explain what measures you are considering to reduce disturbance to pink-footed geese populations during the installation of the onshore cable connection.</p> <p>Would it be possible to avoid construction activities during the period when the geese are present?</p>
Q1.4.21	NE	<p>Paragraph 5.6.1 of NE's representation [RR-097] states that there is insufficient information to determine groundwater impacts on the Norfolk Valley Fens SAC either alone or in combination with the Norfolk Vanguard cable corridor route.</p> <p>What additional information do you think is necessary for you to comment on the alone and in combination effects of the proposed cable corridor on the SAC?</p> <p>What mitigation measures do you think might be appropriate?</p>
Q1.4.22	NE	<p>Please provide up-to-date conservation objectives, site improvement plans and supplementary advice for all onshore European sites that you consider likely to experience significant effects as a result of the proposal.</p>
Q1.4.23	Applicant	<p>Screening and integrity matrices have been submitted in response to s51 advice from the Inspectorate [PD-003].</p> <p>Please provide updated versions of the Stage 2 matrices to deal with the following points:</p>



		<p>Footnote 'd' is missing from the Stage 2 Matrix for the Southern North Sea candidate SAC.</p> <p>Matrix 3.17 for the Norfolk Valley Fens SAC only lists one feature - this does not match the list of features for which likely significant effects were identified in the Report to Inform Appropriate Assessment.</p> <p>All the features which were assessed for effects on integrity should be included in the matrix. The footnotes for the North Norfolk Coast Ramsar site include footnote 'e' which does not appear in the matrix.</p>
Q1.4.24	Applicant, NE	<p>The European Court of Justice has made a recent ruling which may have implications for the assessment of the integrity of European sites (<i>case C-164/17 - Reference for a preliminary ruling from Supreme Court (Ireland) made on 3 April 2017 – Edel Grace, Peter Sweetman v An Bord Pleanala</i>). A previous question seeks views on any implications this judgement may have for appropriate assessment in relation to offshore European sites.</p> <p>Do you have any further or different comments in relation to onshore European sites?</p>

5. Navigation and other offshore operations

Ref	Question to	Questions
Q1.5.1	Applicant, Maritime and Coastguard Agency (MCA)	<p>Section 18.2 of the Navigational Risk Assessment [APP-112] describes the collision risk modelling undertaken. The modelled vessel to vessel collision risk in the Hornsea Project Three array area is a major collision return period of 1 in 193 years. Following construction of the proposed array the risk would increase to 1 in 152 years. Paragraph 7.11.2.39 of the ES [APP-067] characterises this as a negligible effect.</p> <p>Please can the Applicant provide further explanation as to why this increase in collision risk should</p>

		<p>be regarded as negligible?</p> <p>Is the MCA in agreement with the approach to collision risk modelling and do you consider the outputs of the modelling to be realistic?</p>
Q1.5.2	Applicant	<p>Figure 16.1 in the Navigational Risk Assessment [APP-112] shows an adverse weather route for the Cuxhaven-Immingham ferry passing through the area of the proposed array.</p> <p>How does the availability of this route benefit the operation of the ferry at present?</p> <p>What would be the consequences for ferry operations of the loss of this route?</p> <p>Would there be an alternative adverse weather route or would ferries revert to one of the standard routes shown on Figure 16.1?</p>
Q1.5.3	Applicant	<p>The ES [APP-067] discusses the vessel to subsea structure allision risk resulting from presence of subsea high voltage alternating current (HVAC) booster stations and cable protection. Section 18.4 of the Navigational Risk Assessment [APP-112] identifies a key area of risk approximately 5nm north of the landfall location, together with specific cable/pipeline crossings which may be of concern.</p> <p>Please provide further information about the existing depths of water, the likely reductions in depth due to subsea works and the range of draughts of vessels typically navigating through these areas of risk/concern.</p> <p>The ES refers to potential further mitigation being required should subsea offshore HVAC booster stations be utilised. Please give examples of what such further mitigation might be.</p>
Q1.5.4	MCA	<p>The MCA [RR-060] considers that the 150m tolerance referred to in Principle 8 of the Layout Development Principles [APP-091] is excessive and would impede search and rescue (SAR)</p>



		<p>coverage.</p> <p>What would the MCA regard as an acceptable tolerance?</p>
Q1.5.5	Applicant, MCA	<p>The MCA [RR-060] considers that, in the interests of SAR capability, an assessment should be made of the feasibility of providing a helicopter refuge area perpendicular to the turbine development corridors.</p> <p>What would be the advantages and disadvantages of incorporating a helicopter refuge area as suggested by the MCA?</p> <p>Are there examples of offshore windfarms with turbine development corridors of a length comparable to this proposal?</p> <p>If there are, what approach was taken to maintaining SAR capability in those examples?</p>
Q1.5.6	Neptune E&P UK Limited (Neptune)	<p>Neptune [RR-063] considers that Hornsea Project Three, in combination with Hornsea Projects One and Two, would create a barrier to helicopters flying between Norwich and the Cygnus gas field, thereby increasing flight times. A safe corridor for helicopters between Hornsea Projects Two and Three is suggested.</p> <p>Please illustrate, in plan form, the dimensions and approximate location of the suggested safe corridor.</p> <p>Please quantify any impacts on flight times, payload, fuel usage and emergency response times resulting from Hornsea Project Three (on the assumption that Hornsea Projects One and Two are constructed).</p> <p>How would the resulting flight times compare with the range of flight times currently experienced between oil and gas installations in the North Sea generally and the UK?</p>

Q1.5.7	Spirit Energy Nederland BV, Spirit Energy North Sea Limited and Spirit Energy Resources Limited (Spirit Energy)	<p>Spirit Energy [RR-107, RR-108, RR-109] is concerned about a range of effects on its Greater Markham Area operations.</p> <p>Please provide further detail about the specific assets which are of concern and their respective distances from the proposed windfarm.</p> <p>How do those distances compare with other installations operated by Spirit Energy in the vicinity of offshore windfarms?</p> <p>What further mitigation measures do you consider to be necessary?</p>
Q1.5.8	Conoco Phillips (UK) Limited	<p>ConocoPhillips (UK) Limited [RR-036] is concerned about a range of effects on its onshore and offshore operations.</p> <p>Please provide further detail about the specific assets which are of concern and their respective distances from the proposed development.</p> <p>What further mitigation measures do you consider to be necessary?</p>

6. Commercial fishing

Ref	Question to	Questions
Q1.6.1	Applicant	<p>Paragraph 2.7.1.5 of the ES [APP-062] states that the arsenic levels at 24 sites exceeds the Cefas AL1 threshold of 20mg/kg with three of those sites being located in the cable corridor.</p> <p>Please explain why you consider that the disturbance and disposal of affected sediments near to their point of origin would not lead to significant bioaccumulation in commercially important species.</p>

		How might this factor affect any dredging disposal licensing decision?
Q1.6.2	Eastern Inshore Fisheries and Conservation Authority (EIFCA)	<p>Paragraph 6.11.1.54 of the ES [APP-066] states that reduced access or exclusion of the local potting fleet from the offshore cable corridor route would be eligible for justifiable disturbance payments.</p> <p>Do you agree that the mitigation, as outlined in the Fisheries Liaison with Offshore Wind and Wet Renewables Group guidance, in combination with the proposed Fisheries Coexistence and Liaison Plan [APP-183], would be effective?</p>
Q1.6.3	Applicant	<p>The EIFCA representation [RR-070] highlights concerns regarding the use of rock cable protection.</p> <p>Please comment on EIFCA's concerns.</p>
Q1.6.4	Applicant	<p>Table 6.18 of the ES [APP-066] summarises the potential commercial fisheries impacts associated with the construction, operation and decommissioning phases of the proposal.</p> <p>What disruption of fishing activities would occur during pre-construction activities and how would this be controlled through the dDCO?</p>

7. Landscape, seascape and visual impacts

Ref	Question to:	Topic for question(s)
Q1.7.1	Applicant	<p>Table 1.10 of the ES [APP-073] states that there would be up to 15 major Horizontal Directional Drilling (HDD) locations with associated compounds measuring 60m x 60m.</p> <p>Please show the locations of the proposed major HDD compounds and provide further details of</p>



		the likely structures, fencing, parking, materials and lighting that would characterise these facilities.
Q1.7.2	Applicant	<p>Paragraph 3.7.2.18 of the ES [APP-058] states that an 80m wide corridor of hedges and vegetation would be removed ahead of each working section of the cable corridor.</p> <p>Please explain how the visual impact of this clearance would be minimised, including the length of corridor cleared at any one time.</p> <p>How would this be controlled through the dDCO?</p>
Q1.7.3	Applicant	<p>Paragraph 1.2.1.1 of the ES [APP-148] identifies two viewpoint locations from which the visual impact of the offshore high voltage alternating current (HVAC) booster station was considered.</p> <p>Would the station be illuminated by anything other than aviation warning lights during the hours of darkness?</p> <p>If this is the case then how might this alter the findings of the ES and the effect of the proposal on the significance and special qualities of the Norfolk Coast Area of Outstanding Natural Beauty?</p>
Q1.7.4	Applicant	<p>Paragraph 4.11.1.7 of the ES [APP-076] states that the visual impact of the cable corridor would be short term in duration.</p> <p>How has the assessment accounted for the cumulative impact with Norfolk Vanguard and Norfolk Boreas at the Reepham cable crossing?</p>
Q1.7.5	Applicant	<p>Paragraph 3.7.3.13 of the ES [APP-058] states that the concrete link boxes would be likely to be completely buried.</p> <p>Can you confirm that this would be the case and that landscape impacts (during operation) would</p>

		<p>therefore be avoided?</p> <p>How would this be controlled through the dDCO?</p>
Q1.7.6	Applicant	<p>Paragraph 4.7.2.4 of the ES [APP-076] describes Zones of Visual Influence (ZVI) that take account of screening by local features. However, it is unclear how ZVIs were delineated.</p> <p>Please explain more fully the methodology used to define the ZVIs.</p> <p>Were the ZVI assessments made by the same person at all locations?</p>
Q1.7.7	Applicant	<p>Paragraph 4.9.3.2 of the ES [APP-076] states that effects of moderate significance were not considered significant.</p> <p>Please explain the apparent inconsistency in relation to other chapters of the ES where moderate impacts are considered significant.</p> <p>Would a more consistent approach alter the findings of the ES with regard to landscape impact?</p>
Q1.7.8	Applicant	<p>Paragraph 4.10.2.2 of the ES [APP-076] states that a two phase implementation may not require the full removal of vegetation within the 80m corridor.</p> <p>Please explain why this would be the case.</p>
Q1.7.9	Applicant	<p>Paragraph 4.10.4.4 of the ES [APP-076] states that structures within the HVAC booster station and high voltage direct current (HVDC) converter/HVAC substation would not be a uniform height. However, only slab-like structures have been shown in the photomontage in the ES [APP-146].</p> <p>Please provide a revised photomontage with more realistic indicative structures as presented in figures 3.34 and 3.37 of the ES [APP-058].</p>

Q1.7.10	Applicant	<p>The mitigation of the landscape and visual impacts of the HVAC booster station and HVDC converter/HVAC substation would rely on new woodland and scrub planting as well as the strengthening of existing hedgerows (for example at paragraph 4.10.4.7 of the ES [APP-076]).</p> <p>How effective is such planting likely to be, bearing in mind the likely use of deciduous species and the need for new planting to become established over time?</p>
Q1.7.11	Applicant	<p>Paragraph 4.11.1.38 of the ES [APP-076] states that activities outside core working hours (which may have associated lighting impacts) would be agreed post-consent with the relevant Environmental Health Office.</p> <p>How would the impact of lighting on landscape be controlled through the dDCO?</p>
Q1.7.12	Applicant	<p>Paragraphs 5.7.1 and 5.7.2 of Natural England's representation [RR-097] outline concerns regarding the impact of the export cable corridor on the special qualities of the Norfolk Coast Area of Outstanding Natural Beauty and the impact of the landfall on the visual amenity of users of national trails.</p> <p>Please comment on the concerns raised by Natural England.</p>

8. Historic environment

Ref	Question to	Questions
Q1.8.1	Applicant	<p>The Planning Statement [APP-177] states that there is potential for conflict with Policy EN8 of the North Norfolk District Council Local Plan (paragraph 5.2.5.16) and South Norfolk Council's (SNC) Joint Core Strategy Policy 1 (paragraph 5.2.5.21). However, paragraph 5.2.5.27 states that the proposals are in accordance with the relevant policies regarding the historic environment.</p>



		Please explain this apparent inconsistency.
Q1.8.2	Applicant	<p>Table 1.2 of the Screening Assessments for both the onshore high voltage direct current (HVDC) convertor/high voltage alternating current (HVAC) substation [APP-152] and the onshore HVAC booster station [APP-153] sets out the listed buildings for which further assessment is said to be provided in the Historic Environment chapter of the ES [APP-077]. However, it is not clear where such an assessment has been provided for each relevant listed building. This is particularly in relation to the HVAC booster station for which only Salle Park appears to have been assessed in detail.</p> <p>Please provide an assessment for each listed building where the Screening Assessments indicate that a further assessment is provided in the ES.</p>
Q1.8.3	Applicant	<p>Figure 3.37 of the ES [APP-058] provides an illustrative layout/design of the proposed onshore HVDC convertor/HVAC substation. Paragraph 5.8.13 of the Overarching National Policy Statement for Energy (EN-1) states that account should be taken of the desirability of new development making a positive contribution to character and local distinctiveness of the historic environment and that the consideration of design should include scale, height, massing, alignment, materials and use.</p> <p>Please explain how this illustrative layout/design along with the design parameters in table 3.63 of the ES [APP-058] have taken into account the desirability of sustaining the setting and significance of heritage assets in the vicinity of the onshore HVDC convertor/HVAC substation.</p> <p>What would be the differences in layout and design, along with any difference in effects, between a HVDC convertor and a HVAC substation?</p> <p>What scope is there to refine the parameters of the HVDC convertor/HVAC substation in order to minimise as far as possible any adverse effects upon heritage assets?</p>

Q1.8.4	Applicant	<p>The photomontages relating to Gowthorpe Manor and Mangreen Hall [APP-155] are taken from viewpoints close to existing and/or proposed landscaping.</p> <p>Please provide additional photomontages relating to these heritage assets.</p>
Q1.8.5	Applicant	<p>The photomontages from the Keswick Hall viewpoint [APP-155] show the proposed HVDC convertor/HVAC substation to be clearly visible. Representations have been made in this regard by South Norfolk Council (SNC) [RR-054] and Historic England (HE) [RR-078].</p> <p>Please provide a more detailed assessment of the effect upon the setting of Keswick Hall, taking account of these representations.</p>
Q1.8.6	Applicant	<p>What effects would any external lighting at the onshore HVDC convertor/HVAC substation and onshore HVAC booster station have on the setting of heritage assets?</p>
Q1.8.7	Applicant	<p>Paragraph 3.8.1.2 of the ES [APP-058] states that Hornsea Project Three may be constructed in two phases.</p> <p>Under a two phase scenario, what effects upon the setting of heritage assets would arise in terms of the visual appearance of the cable corridor when left between phases (for example where the cable route adjoins Baconsthorpe Castle or in the vicinity of the onshore HVDC convertor/HVAC substation)?</p> <p>How could any adverse impacts be mitigated?</p>
Q1.8.8	Applicant, the National Trust (NT)	<p>The NT [RR-056] refers to Oulton Airfield as a non-designated heritage asset.</p> <p>Does the Applicant agree that Oulton Airfield is a non-designated heritage asset?</p>



		<p>Please can the Applicant and NT provide their respective assessments of the heritage significance of Oulton Airfield (including its association with the Grade I listed Blickling Hall) and the effects of the proposed construction compound on that significance.</p>
Q1.8.9	Applicant, Broadland District Council (BDC), NT	<p>NT [RR-056] and BDC [RR-057] refer to the impact of the main construction compound on the Blickling Conservation Area.</p> <p>The applicant, NT and BDC are requested to provide their respective assessments of the impact of the construction compound proposals on the setting and significance of the Blickling Conservation Area.</p> <p>Please can BDC also provide a plan showing the boundary of the conservation area.</p>
Q1.8.10	Applicant	<p>Paragraph 5.11.1.143 of the ES [APP-077] states that there are no registered parks and gardens requiring assessment in relation to the onshore HVAC booster station. However, paragraphs 5.11.1.39 to 5.11.1.48 include such an assessment of Salle Park.</p> <p>Please explain this apparent inconsistency.</p>
Q1.8.11	Applicant	<p>The assessments of the effects upon the settings of heritage assets in the ES [APP-077] appear to be largely focused on visual considerations.</p> <p>What other factors, including for example other environmental factors and the historic relationships between places, have been taken into account in assessing the effects upon the settings of heritage assets?</p>
Q1.8.12	Applicant	<p>Have the assessments of the effects upon the setting of heritage assets in the ES [APP-077] been made solely on the basis of the maximum design parameters or have they been influenced by the indicative layouts provided in the ES [APP-058] (Figures 3.34 and 3.37)?</p>

Q1.8.13	Applicant	<p>South Norfolk Council's representation [RR-054] states that there is an absence of information on important hedgerows as defined under the Hedgerows Regulations 1997.</p> <p>Would any hedgerows of historical importance be lost or their original course altered by the proposal?</p>
Q1.8.14	Applicant, NT	<p>The NT [RR-056] outlines what it considers to be the archaeological interest of the North Norfolk coast in the area of the proposed cable landfall.</p> <p>The applicant and NT are requested to provide further assessments of such archaeological interest together with further details of any mitigation that would be required in this regard.</p>
Q1.8.15	Marine Management Organisation (MMO), Historic England (HE)	<p>The applicant has provided an Outline Written Scheme of Investigation (OWSI) [APP-115] in relation to marine archaeology.</p> <p>Are you in agreement with the OWSI?</p> <p>If not, what amendments would you suggest?</p>
Q1.8.16	Applicant, MMO, HE	<p>Section 9.11.1 of the ES [APP-069] sets out an assessment of significance for the effects of the construction phase on marine archaeology. The magnitude of impacts is assessed as being negligible.</p> <p>Whilst impacts are predicted to be localised, given the total maximum area of proposed disturbance, what confidence is there that the magnitude of impacts would remain as being negligible?</p> <p>Do the MMO and HE agree with the applicant's assessment of magnitude of impact on marine archaeology?</p>
Q1.8.17	Applicant	<p>The OWSI [APP-115] refers to the role of the Archaeological Curator.</p>

		<p>Please provide further details of this role including how and by whom they would be appointed.</p> <p>What would be the process by which matters would be determined where the approval of the Archaeological Curator was required?</p> <p>What consultations would the Archaeological Curator carry out?</p>
Q1.8.18	Applicant	<p>Table 7.1 of the OWSI [APP-115] indicates that further surveys are expected in 2018.</p> <p>Have any further surveys taken place and, if so, what are the results?</p> <p>What are the implications of any such results for the assessments in the ES?</p>
Q1.8.19	Applicant	<p>The OWSI [APP-115] provides for the potential creation of Archaeological Exclusion Zones.</p> <p>Please provide clarification of the process for the establishment of new Archaeological Exclusion Zones (including Temporary Zones).</p> <p>How would these be safeguarded through the dDCO when the detailed siting of the offshore infrastructure is finalised?</p>

9. Land use and recreation

Ref	Question to	Questions
Q1.9.1	Applicant, South Norfolk	Representations have been made regarding the potential implications of the on-shore cable route for future housing development sites [including RR-051, RR-067 and RR-147].



	Council (SNC)	The Applicant and SNC are both requested to provide details of the location of potential housing sites, the stage they have reached in the planning process, the effects the proposal would be likely to have upon them and any appropriate mitigation measures that may be required.
Q1.9.2	Applicant	<p>Paragraph 6.11.1.39 of the ES [APP-078] indicates that there may be the possibility of using Horizontal Directional Drilling (HDD) technology for crossing public rights of way.</p> <p>What are the factors that will determine whether or not HDD technology is used in these circumstances?</p>
Q1.9.3	Applicant	<p>Section 6.8 of the Outline Code of Construction Practice [APP-179] sets out proposed management measures regarding public rights of way.</p> <p>Are there any footpaths or other public rights of way that would be temporarily stopped up without diversion?</p> <p>Where footpaths and public rights of way would need to be diverted, please explain the procedure for agreeing how this would be done.</p> <p>In the case of the Norfolk Coast Path National Trail, please provide details of the diverted route that would be sought in the event that a diversion is required.</p> <p>Please provide an update on the progress of discussions with Norfolk County Council (NCC) regarding the implications for the Norfolk Coast Path National Trail and any additional management measures that may be required.</p>
Q1.9.4	Applicant, NCC	The Outline Code of Construction Practice [APP-179] indicates that public accesses and routes would be reinstated.

		<p>What measures would be required to ensure that these footpaths and routes are reinstated following closure or diversion, including any parts outside of the dDCO limits which may have become overgrown?</p> <p>How would such measures, including appropriate timescales for completion, be secured in the dDCO?</p>
Q1.9.5	Applicant	<p>Table 6.26 of the ES [APP-078] sets out the criteria for defining the magnitude of an impact upon land use receptors and recreational resources.</p> <p>Please provide a more detailed explanation of how the magnitude of impacts relating to the loss of the best and most versatile agricultural land has been determined. For example, how has it been determined that the loss of more than 50ha is major and the loss of more than 20ha is moderate?</p> <p>Please explain what bearing the size of a particular agricultural holding has on the assessment of the impacts upon agricultural land and operations?</p>
Q1.9.6	Applicant	<p>Paragraph 5.10.8 of the Overarching National Policy Statement for Energy (EN-1) requires that the applicant seeks to minimise the impacts on the best and most versatile agricultural land.</p> <p>Please explain how this has been achieved for Hornsea Project Three in respect of the choice of the onshore cable route and location of onshore infrastructure?</p>
Q1.9.7	Applicant	<p>The ES [APP-078] assesses the impact upon agricultural land and operations in terms of the maximum design scenario.</p> <p>In comparison with the maximum design scenario, please set out the effects on agricultural land and operations that would result from:</p> <p style="text-align: center;">the use of high voltage direct current (HVDC) rather than high voltage alternating current</p>

		<p>(HVAC);</p> <p>the use of ducting for cable installation across agricultural land; and</p> <p>the completion of the onshore cable route construction works in a single phase.</p>
Q1.9.8	Applicant	<p>Paragraph 3.7.3.13 of the ES [APP-058] states that the concrete link boxes would be likely to be completely buried. Representations from the Land Interest Group [for example RR-147 and RR-148] have referred to the potential effects of link boxes upon agricultural operations.</p> <p>Would the need for link boxes be affected by the choice of HVAC or HVDC technology?</p> <p>If link boxes were sited completely underground would there be some surface construction such as manhole covers or fencing?</p> <p>How would the link boxes affect farming operations (for example ploughing)?</p> <p>What would be the criteria for deciding the location and design of link boxes?</p> <p>How would the design and location of link boxes be controlled through the dDCO?</p>
Q1.9.9	Applicant	<p>Paragraph 3.7.3.13 of the ES [APP-058] states that joint bays will be likely to be completely buried.</p> <p>Please explain the circumstances in which joint bays would not be completely buried.</p> <p>What would the implications be for agricultural operations should the joint bays not be completely buried?</p> <p>What would be the criteria for deciding the location and design of joint bays?</p>

		How would the design and location of joint bays be controlled through the dDCO?
Q1.9.10	Applicant	<p>Paragraph 6.4.1.14 of the Outline Code of Construction Practice [APP-179] briefly outlines field drainage measures (paragraph 6.4.1.14).</p> <p>Please provide further details of the measures for reinstating field drainage following the installation of the cables.</p> <p>Would any additional measures be required under a two phase scenario?</p> <p>What would be the process for approval of such measures?</p>
Q1.9.11	Applicant	<p>Table 6.28 of the ES [APP-058] sets out brief details of the proposed soil management strategy.</p> <p>Please provide further details of this strategy.</p> <p>What would be the process for the approval of such a strategy?</p>
Q1.9.12	Applicant	<p>Table 6.28 of the ES [APP-058] sets out brief details of a farming framework including matters such as farm accesses, timing of construction works and the spread of diseases.</p> <p>Please provide further details for each part of the farming framework, including the criteria that would be taken into account in making a decision for each of the subjects covered and the process for consultation with relevant stakeholders.</p> <p>What would be the process for approval of the farming framework?</p>

		How should such matters be dealt with in the Outline Code of Construction Practice [APP-179]?
Q1.9.13	Applicant	<p>The farming framework in Table 6.28 of the ES [APP-058] states that accesses across individual fields and between fields within a farm holding would be maintained where reasonably practicable.</p> <p>Under what circumstances is it expected that maintaining access would not be practicable and what would the resulting effects be?</p> <p>Provide examples of where this is expected to be the case.</p> <p>What mitigation is proposed in these cases?</p>
Q1.9.14	Applicant	<p>The ES [APP-078] provides a brief assessment of the cumulative impacts of the proposal in combination with the proposed Norfolk Vanguard scheme which may be constructed concurrently with Hornsea Project Three.</p> <p>Please provide a more detailed cumulative assessment of the impacts of the proposal on agricultural land and operations in combination with the Norfolk Vanguard scheme.</p>

10. Socio - economic		
Ref	Question to:	Questions
Q1.10.1	Applicant	<p>The ES [APP-082] explains that the selection of ports for use during construction and operation/maintenance has yet to be determined [APP-082].</p> <p>Please provide an update on the progress made towards the selection of a port or ports for</p>

		<p>construction and operation/maintenance.</p> <p>What are the factors that would be taken into account in determining where the construction base port(s) and the operation and maintenance base port(s) would be?</p>
Q1.10.2	Applicant	<p>Different impact scenarios are set out in table 10.37 of the ES [APP-082].</p> <p>Using a ranked order, which of the construction and operation/maintenance impact scenarios are the most likely to occur and why?</p> <p>Notwithstanding these scenarios, what weight can be given to the socio-economic benefits that might arise from the proposal, having regard to current uncertainties regarding the location of the port(s) to be used for construction and operation/maintenance and the sourcing of goods and services?</p>
Q1.10.3	Applicant	<p>The ES [APP-082] sets out details of the economic characteristics for the New Anglia and Humber local economic development study areas.</p> <p>Please provide further details of how the labour market and skills in the study areas would match the construction and the operation/maintenance needs of the project.</p> <p>Based upon the existing labour market and availability of skills in the study areas, would any specific training be required and how could this be implemented?</p>
Q1.10.4	Applicant	<p>The ES [APP-082] sets out an assessment of the socio-economic impacts of the proposed development upon the Humber Local Enterprise Partnership (LEP) area. The Humber LEP is not registered as an Interested Party in this examination. However, the Examining Authority would like to receive Humber LEP's views on this assessment.</p> <p>As such, the applicant is requested to seek the views of the Humber LEP and submit them in</p>

		response to this question.
Q1.10.5	Applicant, North Norfolk District Council (NNDL)	<p>NNDL [RR-133] refers to potential community benefits being put forward by the applicant.</p> <p>What community benefits are envisaged?</p> <p>How would they be secured?</p>
Q1.10.6	Applicant	<p>The ES [APP-078] assesses the implications for farm holdings from the construction and operation/maintenance of the development.</p> <p>In economic terms, what short and long term impacts would be likely to arise for farm holdings, including but not limited to impacts from crop loss, during construction, operation, maintenance and decommissioning?</p> <p>What would the likely aggregate economic impact be for agriculture in Norfolk, taking account of the combined effects upon all affected farm holdings?</p> <p>How could measures such as the timing of works, phasing, the use of ducting and the choice of HVAC/HVDC technology mitigate any economic impacts upon agriculture?</p> <p>What other measures could be proposed to mitigate any economic impacts?</p>
Q1.10.7	Applicant, Broadland District Council, North Norfolk District Council, South	<p>The ES [APP-082] concludes that there would be a minor adverse effect on tourism.</p> <p>Please provide further details of the economic effects on the tourist industry in Norfolk, including from:</p> <ul style="list-style-type: none"> seasonal traffic impacts; impacts on public rights of way (including the Norfolk Coast Path National Trail);



	Norfolk Council	<p>the demand for accommodation; and</p> <p>the implications of the proposed phasing options.</p> <p>Are there any local areas where economic effects would be concentrated?</p> <p>What measures could be proposed to mitigate any such impacts?</p>
--	-----------------	---

11. Transport and highway safety		
Ref	Question to	Questions
Q1.11.1	Norfolk County Council (NCC), Broadland District Council (BDC), North Norfolk District Council (NNDC), South Norfolk Council (SNC), Highways	<p>Do you agree with the methodology, baseline data and predicted traffic movements used to assess traffic and transport impacts in the ES [APP-079]?</p> <p>Please identify any outstanding issues.</p>

	England (HE)	
Q1.11.2	Applicant	<p>Table 7.12 of the ES [APP-079] sets out daily construction vehicle movements for different links.</p> <p>For each of the links in the table, please provide an estimate of how vehicle movements would be spread throughout the day.</p> <p>For each of the links in the table, please comment on any fluctuations that would occur throughout the period(s) of construction works.</p> <p>Why are links which have no construction traffic flows included?</p> <p>How have the average vehicle movements in paragraph 7.8.3.43 of the ES [APP-079] been calculated?</p> <p>What measures (for example, relating to the timing of works and routing) could be introduced to minimise impacts from heavy goods vehicle (HGV) movements during the peak tourist season?</p>
Q1.11.3	Applicant	<p>Table 1.8 of the ES [APP-159] sets out the impact of construction traffic during peak hours. This table does not include HGV movements which would be permitted between 0700 and 0800 under the terms of the Outline Code of Construction Practice [APP-179].</p> <p>Why are HGV movements not included?</p> <p>Please provide an updated table including HGV movements.</p>
Q1.11.4	Applicant	<p>The use of haul roads, which are intended to reduce the impact of construction traffic on the public highway, is proposed in section 4.3 of the ES [APP-176]. However, it is not clear how they would be secured. Paragraph 1.4.1.44 of the ES [APP-159] indicates the possible use of a</p>

		<p>construction access corridor as an alternative to a haul road.</p> <p>How would the use of haul roads be secured by the dDCO?</p> <p>Please provide further details of what a construction access corridor would be.</p> <p>How would the effects assessed in the ES be altered by use of a construction access corridor?</p>
Q1.11.5	Applicant	<p>Figure 1.2 of the ES [APP-166] shows the proposed access roads for the onshore cable construction.</p> <p>Please explain the factors that have determined the choice of construction access points.</p> <p>What scope is there to reduce the number of construction access points in order to ensure the fuller use of the haul roads and to reduce local impacts?</p>
Q1.11.6	Applicant	<p>NCC [RR-035] has expressed concern regarding the safety of the permanent vehicular access points to the onshore high voltage alternating current (HVAC) booster station and high voltage direct current (HVDC) convertor/HVAC substation.</p> <p>Please provide an indicative layout demonstrating the feasibility of these permanent access points, including a Stage 1 Safety Audit.</p>
Q1.11.7	Applicant	<p>Paragraph 2.1.4.4 of the Outline Construction Traffic Management Plan [APP-176] states that during peak holiday seasons the routing of HGVs may need to avoid routes marked on the Norfolk County Council Route Hierarchy Map.</p> <p>Under what particular circumstances and at what times would such re-routing of HGVs take place?</p>

		<p>Which are the routes which would be likely to be avoided and what alternative routes would be used?</p> <p>Could this result in impacts arising from the use of alternative routes which have not been reported in the ES?</p>
Q1.11.8	Applicant	<p>Paragraph 7.8.3.44 of the ES [APP-079] provides an estimate of the potential vehicle movements at the main construction compound at Oulton Street.</p> <p>Please provide further details of the proposed use of the main construction compound at Oulton Street including:</p> <ul style="list-style-type: none"> the types, quantities and intended use of materials to be stored; the calculations of the potential traffic movements in connection with the use of the compound; and the hours of operation and the expected times/frequency of particular traffic movements.
Q1.11.9	Applicant, Norfolk Vanguard	<p>The main construction compound at Oulton Street would be located close to some construction and storage components of the proposed Norfolk Vanguard/Norfolk Boreas scheme.</p> <p>Please provide an assessment of the potential in-combination traffic and transport effects of the proposal in the locality of Oulton Street, including details of likely construction timetables for all projects and proposed measures to minimise any impacts.</p>
Q1.11.10	Applicant	<p>Paragraph 1.5.3.6 of the ES [APP-159] states that traffic management measures are to be designed post-submission which might include a diversion route for the main compound at Oulton Street.</p>

		<p>Please provide details of what such measures might be, including any measures to manage HGV movements.</p> <p>How they would be secured in the dDCO?</p>
Q1.11.11	Applicant	<p>Oulton Parish Council [RR-034] raises a concern that the traffic surveys that have been carried are not representative of agricultural activity.</p> <p>What account has been made in the ES [APP-159] of the variations in agricultural vehicle movements throughout the year?</p>
Q1.11.12	Applicant, Norfolk Vanguard	<p>The on-shore cable route would cross with the proposed Norfolk Vanguard/Norfolk Boreas cable route to the north of Reepham.</p> <p>Please provide an assessment of the potential traffic and highway impacts arising from the construction of both projects and outline any measures that may be required to mitigate any impacts.</p>
Q1.11.13	Applicant	<p>Paragraph 3.5.1.7 of the ES [APP-058] states that a construction base (port facility) may be used to stockpile some components.</p> <p>Please provide an update on the likely necessity for this facility, the likely location and an assessment of any potential traffic and highway impacts.</p> <p>Given that the location of the facility would not be within the Order limits, what mechanisms would be available to secure any mitigation measures that may be required?</p>
Q1.11.14	Applicant, NCC	<p>Section 1.6.6 of the ES [APP-159] (Section 1.6.6) states that the A140/B1113 signalised junction already operates in excess of capacity during peak hours and this will be exacerbated during</p>

		<p>construction works.</p> <p>How will the performance of this junction be monitored and what traffic management measures are likely to be appropriate?</p> <p>How would such measures be secured?</p>
Q1.11.15	Applicant	<p>The ES [APP-079] assesses the potential impacts on traffic and transport on the basis of the maximum design scenario which includes the use of HVAC technology.</p> <p>What would be the main differences for traffic generation during construction between the use of HVAC and HVDC technology?</p>
Q1.11.16	Applicant	<p>The ES [APP-079] states that in certain circumstances onshore works may have to be undertaken on a continuous basis.</p> <p>Please provide further details on the need for and the likely frequency of continuous working hours, together with the locations where it is likely to occur.</p> <p>What would be the process for the prior approval of works outside of the core working hours (including consultation with stakeholders) and does this process need to be set out more clearly in the Outline Code of Construction Practice [APP-179]?</p> <p>What would be the implications of continuous working for HGV movements?</p>
Q1.11.17	Applicant	<p>Paragraph 7.8.3.19 of the ES [APP-079] sets out an estimated distribution of HGVs.</p> <p>Please provide further justification for the estimated distribution of HGVs.</p>
Q1.11.18	Applicant	<p>Paragraph 2.1.4.3 of the Outline Construction Traffic Management Plan [APP-176] states that</p>

		<p>some limited further restrictions may be placed on the timing of HGV movements though locations with sensitive receptors, such as during school opening and closing hours.</p> <p>Please provide a list of these locations.</p> <p>What are the further restrictions that would be placed on the timing of HGV movements and how would they be secured?</p>
Q1.11.19	Applicant	<p>Paragraph 4.1.1.1 of the Outline Construction Traffic Management Plan [APP-176] states that it is envisaged that all cable crossings of the public highway will be undertaken by horizontal directional drilling (HDD).</p> <p>Are there any public highway cable crossings that would not utilise HDD?</p> <p>If there are, which are these and why would HDD not be used?</p> <p>What would the implications for the ES be should HDD not be used for public highway crossings?</p>
Q1.11.20	Applicant	<p>Article 10 of the dDCO provides for the temporary stopping up of streets, including use as temporary work sites. Paragraph 1.8.1.1 of the Transport Assessment [APP-150] states that the dDCO would secure temporary road closures and stopping up of highways at road crossings.</p> <p>Please set out the reasons why temporary road closures and the stopping up of highways would be required, given the expectation that all cable crossings of the public highway would be undertaken by HDD.</p> <p>Please explain the need for temporary work sites on highways.</p> <p>Would there be any other circumstances where the temporary stopping up of any highway would</p>

		<p>be required?</p> <p>For what periods of time would temporary stopping up of highways occur?</p> <p>Please explain the procedures that would be required to secure the temporary stopping up of highways.</p>
Q1.11.21	Applicant	<p>Section 1.6.11 of the ES [APP-159] describes the use of abnormal indivisible loads. Paragraph 1.6.11.3 refers to the use of the existing Norwich Main Substation access junction to accommodate abnormal loads.</p> <p>Which parts of the works are likely to require abnormal indivisible loads?</p> <p>For what purposes would abnormal loads be required to use the existing Norwich Main Substation access?</p>
Q1.11.22	Applicant, NCC	<p>Access to the landfall construction site would be via the existing access from the A149 to Foxhills Campsite and the Muckleburgh Museum (with an additional parallel access road).</p> <p>Given the limited visibility at the existing access onto the A149, please provide details of any traffic management measures that would be required to ensure the safety of this construction access point.</p>
Q1.11.23	Applicant	<p>Representations have been made [such as RR-033] regarding pedestrian safety on the A149 between Foxhills and Weybourne.</p> <p>Please outline any mitigation measures that may be required.</p>
Q1.11.24	Applicant	<p>A representation has been made [RR-061] objecting to the proposed location of a construction storage compound at Marl Hill.</p>

		<p>Please comment on the concerns raised.</p> <p>What mitigation measures may be required at this location?</p>
Q1.11.25	NCC, BDC, NNDC, SNC	Please comment on the Outline Construction Traffic Management Plan [APP-176] and set out any amendments or additions you consider are required.

12. Living conditions for local residents		
Ref	Question to	Questions
Q1.12.1	Applicant	<p>Tables 8.7 and 8.8 of the ES [APP-080] set out baseline sound levels for the onshore high voltage direct current (HVDC) convertor/high voltage alternating current (HVAC) substation and HVAC booster station.</p> <p>Please provide further justification for the choice of baseline noise survey locations.</p> <p>Why was only one survey location chosen in relation to the HVDC convertor/HVAC substation?</p> <p>Are there likely to be any variations in baseline sound levels at other locations, such as the residential properties located to the south east of the proposed HVDC convertor/HVAC substation?</p>
Q1.12.2	Broadland District Council (BDC), North	Do you agree with the Applicant's noise assessment methodology, including the baseline monitoring [APP-080]?

	Norfolk District Council (NND), South Norfolk Council (SNC)	
Q1.12.3	Applicant	<p>Paragraph 8.12.2.5 of the ES [APP-080] sets an acceptable operational noise level of 34dB L_{Ar,Tr}.</p> <p>Please explain the justification for the use of the unit of measurement L_{Ar,Tr} for the setting of the noise level, including in comparison with other commonly used units of measurement.</p>
Q1.12.4	Applicant	<p>Paragraph 8.12.2.6 of the ES [APP-080] states that an overall noise level design reduction of at least 12dB is necessary to achieve the noise rating limit of 34dB L_{Ar,Tr} for the operation of the HVDC convertor/HVAC substation.</p> <p>Please provide further details of the noise mitigation measures that are envisaged to achieve this level of reduction.</p> <p>If a range of measures were to be employed, what would be the level of reduction secured by each individual measure?</p> <p>How could the layout of buildings and structures on the site influence the need for the particular noise mitigation measures required?</p>
Q1.12.5	Applicant	<p>The ES [APP-080] states that no noise and vibration monitoring is considered necessary for either the construction or the operation phases. However, Requirement 21 of the dDCO [APP-027] includes the need for a scheme for monitoring attenuation and mitigation measures within the noise management plan.</p>

		<p>Why does the ES not include future monitoring?</p> <p>Please provide details of any monitoring that is likely to be required, including any measures to ensure that stated noise levels are not breached.</p>
Q1.12.6	Applicant, BDC, NNDC, SNC	<p>Paragraph 4.1.1.1 of the Outline Code of Construction Practice [APP-179] sets out proposed core working hours for construction. These appear to extend beyond standard construction working hours, including starting at 07:00 on Mondays to Saturdays.</p> <p>Bearing in mind the proximity of some work sites to residential properties (and the period of construction of the HVDC convertor/HVAC substation), what is the justification for these working hours?</p> <p>Should provision be made for reduced hours or no working on Bank Holidays?</p>
Q1.12.7	Applicant, BDC, NNDC, SNC	<p>The Outline Code of Construction Practice [APP-179] allows for continuous working hours in certain circumstances.</p> <p>Under a maximum design scenario for continuous working hours, what would be the effects on the living conditions of local residents?</p> <p>Are further mitigation measures required in the Outline Code of Construction Practice to manage and mitigate the effects of continuous working hours?</p>
Q1.12.8	Applicant	<p>Paragraph 4.1.1.2 of the Outline Code of Construction Practice states that the mobilisation period of up to one hour before and after core working hours would not include heavy goods vehicle (HGV) movements into and out of construction areas [APP-179].</p>

		<p>What 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>Would it be appropriate to include such measures in the Outline Code of Construction Practice?</p>
Q1.12.9	Applicant	<p>Paragraphs 3.7.3.32 of the ES [APP -058] states that Oulton Airfield is proposed to be the main construction compound.</p> <p>What would be the hours of use of the construction compound, including for vehicles coming to and from the compound?</p> <p>Please provide an assessment of noise arising from the use of the compound, including from vehicle movements on Oulton Street.</p> <p>What noise mitigation measures may be required at this location?</p>
Q1.12.10	Applicant and Norfolk Vanguard	<p>Please provide a cumulative electromagnetic field assessment at the point where the onshore cable route would cross the proposed Norfolk Vanguard/Norfolk Boreas route.</p>
Q1.12.11	BDC, NNDC, SNC	<p>The applicant has provided an Electro-Magnetic Fields Compliance Statement [APP-087].</p> <p>Do you agree with this statement?</p>
Q1.12.12	Applicant	<p>Table 8.16 of the ES [APP-080] appears to be missing some text. The rows for 'Minor' and 'Negligible' magnitude of impact of the 'BS 4142 Semantic Description' column appear to have been amalgamated.</p>

		Please provide a corrected table.
--	--	-----------------------------------

13. Content of the DCO		
Ref	Question to	Questions
		General
Q1.13.1	Marine Management Organisation (MMO), Natural England (NE)	<p>The Applicant's additional submission [AS-003] sets out the relationship between the design parameters in the dDCO [APP-027] and those in the ES.</p> <p>Does this submission address your concerns regarding the relationship between the areas and volumes of material set out in the ES and those referred to in the dDCO?</p>
Q1.13.2	Applicant	<p>The dDCO [APP-027] includes two Deemed Marine Licenses (DML), one for generation and one for transmission assets. Some previous DCOs for offshore windfarms where phased development was envisaged, (East Anglia Three for example), have included separate DMLs for each phase.</p> <p>What is the justification for taking a different approach here?</p>
Q1.13.3	Applicant, Norfolk Vanguard Limited	<p>The onshore cable route proposed as part of the Norfolk Vanguard project would cross the Hornsea Project Three cable route near Reepham.</p> <p>What assessment has been carried out of the engineering requirements for the cable crossing, such as to demonstrate that the works could be carried out satisfactorily within the Order limits?</p> <p>How would the powers sought by Norfolk Vanguard Limited interact with those sought by the Applicant?</p> <p>Should the Order include protective provisions in respect of Norfolk Vanguard Limited?</p>

Q1.13.4	Applicant	<p>The second paragraph on page 3 of the dDCO [APP-027] includes the words 'which has made a report to the Secretary of State section 74(2) of the 2008'.</p> <p>Please review this sentence as it may have some words missing.</p>
Articles		
Q1.13.5	Applicant	<p>The definition of 'commence' in Article 2 excludes offshore site preparation works. Consequently, boulder clearance and sandwave clearance would not amount to commencement. This is a broader definition than ones used in some recent orders, such as East Anglia Three and Dogger Bank Teeside A and B. The MMO and NE [RR- 085, RR-097] express concern that works with potentially significant environmental effects could be carried out in advance of pre-construction plans and any associated documentation being approved. Moreover, table 2.18 of the ES [APP-062] identifies the use of pre-construction surveys as a designed-in measure to reduce the impact of the proposal on benthic features.</p> <p>What is the justification for adopting a broader definition, (in relation to offshore works), than that used in comparable projects?</p> <p>How would pre-construction surveys be secured through the dDCO if boulder clearance and sandwave clearance would not amount to commencement?</p>
Q1.13.6	Applicant	<p>The Explanatory Memorandum [APP-028], commenting on the definition of 'commence', draws attention to a Correction Order made by the Secretary of State in relation to the A160 - A180 Port of Immingham Improvement Development Consent Order 2015. This Order gave consent for onshore highways works.</p> <p>What relevance does this have in relation to the offshore elements of the current application?</p>
Q1.13.7	Applicant	<p>The definition of 'commence' in Article 2 refers to 'site preparation works' in respect of the</p>



		<p>onshore works.</p> <p>Should this refer to 'onshore site preparation works' as this is a defined term in the dDCO?</p>
Q1.13.8	Applicant, Broadland District Council (BDC), North Norfolk District Council (NNDC), South Norfolk Council (SNC)	<p>The definition of 'onshore site preparation works' in Article 2 includes site clearance, demolition and archaeological investigations. It is noted that similar drafting has been adopted in some other projects. Nevertheless, these may well be substantial works in their own right, particularly in relation to the clearance of vegetation along the cable corridor. Vegetation clearance could take place in areas which have yet to be subject to ecological surveys.</p> <p>What is the justification for excluding site clearance and demolition from the definition of 'commence' in the particular circumstances of this application?</p> <p>How would pre-construction surveys be secured through the dDCO if site clearance would not amount to commencement?</p> <p>How would Requirement 16, relating to archaeological investigations, operate if those investigations were themselves excluded from the definition of commencement?</p>
Q1.13.9	Applicant, BDC, NNDC, SNC	<p>The definition of 'onshore site preparation works' in Article 2 appears to be broader than the equivalent wording within the definition of 'commence' in the Hornsea Two Offshore Wind Farm Order 2016. Specifically, it includes diversion and laying of services and the creation of site accesses.</p> <p>What is the justification for adopting a broader definition in this case?</p> <p>How would relevant mitigation measures be secured, such as those in the Outline Code of Construction Practice [APP-179], given that the detailed versions of mitigation documents may not be approved until after the 'onshore site preparation works' have taken place?</p>

Q1.13.10	Applicant	<p>The definition of 'intrusive activities' in Article 2 includes the words 'but not limited to'.</p> <p>What other activities are envisaged?</p> <p>Have any other activities been assessed in the ES?</p>
Q1.13.11	Applicant	<p>The term 'maintain' in Article 2 includes 'remove, reconstruct and replace'. Some previous orders have used similar wording but have been qualified to the effect that replacement would only be in relation to a component part of a wind turbine generator, offshore substation or accommodation platform.</p> <p>What is the justification for adopting a broader definition in this case?</p> <p>Please provide some illustrative examples of what 'remove, reconstruct and replace' might entail.</p> <p>What works might be included if 'repowering' became necessary?</p>
Q1.13.12	Applicant	<p>The definition of 'the Order limits' in Article 2 includes the words 'within which the authorised project may be carried out'. Planning Inspectorate Advice Note 3 advises that 'may' should be avoided in DCOs to avoid ambiguity.</p> <p>Please review the drafting of this definition.</p>
Q1.13.13	Applicant	<p>The definition of 'pontoon gravity base 1 foundation' in Article 2 includes the words 'and either'. These words seem unnecessary and inconsistent with the subsequent definition of 'pontoon gravity base 2 foundation'.</p> <p>Please review the drafting of this definition.</p>
Q1.13.14	Applicant	<p>The arrangements for seeking the consent of the Secretary of State to transfer the benefit of the</p>

		<p>Order include provision for arbitration (Article 5(6)). The Explanatory Memorandum [APP-028] states that this approach is unprecedented but has been developed on the basis of experience on other projects and is required to provide certainty.</p> <p>What is the evidential basis for the suggestion that arbitration is necessary?</p> <p>Please provide legal submissions on the lawfulness of seeking to impose an arbitration procedure which would appear to fetter the discretion of the Secretary of State.</p> <p>Why it is considered necessary to apply an arbitration procedure when any decision of the Secretary of State could be challenged by way of Judicial Review?</p> <p>If an arbitration procedure were to apply, how could the Secretary of State be satisfied, at the time of making the Order, that the rights of those persons subject to Compulsory Acquisition would be sufficiently protected upon any transfer of the benefit of Compulsory Acquisition provisions?</p>
Q1.13.15	Applicant	<p>Should Article 5(2) be amended to include reference to 5(7) such that it would read:</p> <p>Where an agreement has been made in accordance with paragraph (1) references in this Order to the undertaker, except in paragraphs (5), (7) and (9), shall include references to the transferee or lessee?</p>
Q1.13.16	Applicant, MMO	<p>Article 5(7) provides that, where the benefit of the order is transferred, no obligations remain with the undertaker. The MMO [RR-085] advises that DML conditions should remain effective against the undertaker should any assets be transferred.</p> <p>Would Article 5(7) provide adequate protection for the marine environment in the event that a transferee failed to carry out its obligations under the DML?</p>

		Please can the MMO comment on the statement in the Explanatory Memorandum [APP-028] to the effect that this approach has been followed in the East Anglia Three Offshore Windfarm Order 2017.
Q1.13.17	Applicant	<p>Where a transfer of the benefit of the Order takes place Article 5(11) provides for a notice period of 5 days. This seems to be a rather short period.</p> <p>What is the justification for the notice period proposed in Article 5(11)?</p>
Q1.13.18	Applicant	<p>Article 6 would dis-apply provisions of the Neighbourhood Planning Act 2017 relating to the temporary possession of land which may come into force during the course of the examination. There are elements of the Neighbourhood Planning Act 2017 regime that are fixed by the statute itself, for example a notice period before possession is taken and a requirement for notices to identify the period of temporary possession.</p> <p>Can the applicant justify why such elements are not appropriate in this case?</p>
Q1.13.19	Applicant	<p>Article 7, which would provide a defence to proceedings in respect of statutory nuisance, is a model provision. Nevertheless, National Policy Statement EN-1 states that the decision maker should have regard to whether any particular nuisance is an inevitable consequence of the project (paragraph 4.14.3).</p> <p>Having regard to the mitigation measures described in the ES, what is/are the potential nuisance(s) that would be an inevitable consequence of the construction, operation or decommissioning of the project?</p>
Q1.13.20	Applicant	Article 10 distinguishes between 'any street' (at 10(1)) and the streets which are set out in Schedule 4 (at 10(4)). However, Schedule 4 appears to include all streets within the Order limits.

		Please provide further explanation of the drafting of Article 10, with particular regard to why it distinguishes between 'any street' and the streets set out in Schedule 4.
Q1.13.21	NCC, BDC, NNDC, SNC	<p>Article 10(2) would enable the undertaker to use streets that have been temporarily stopped up as temporary working areas.</p> <p>Would the drafting of Article 10 provide satisfactory mitigation for any potential impacts on the living conditions of local residents?</p>
Q1.13.22	Applicant	<p>Article 11 provides for the temporary stopping up of public rights of way. The ES [APP-058] states that there may be a gap in construction of up to 3 years.</p> <p>Is it envisaged that public rights of way would be reopened if there was a significant gap in construction?</p> <p>Does the drafting of this article adequately reflect the potential for phased implementation?</p>
Q1.13.23	NCC, BDC, NNDC, SNC	<p>Article 12 would enable the undertaker to seek approval for accesses to the highway, other than those listed in Schedule 5. Approval would be deemed to have been given if no decision was notified within 28 days.</p> <p>Would the drafting of Article 12 provide a reasonable timescale for such requests to be properly considered?</p>
Q1.13.24	Drainage Authorities	<p>Article 14 would enable the undertaker to discharge water into watercourses, drains or sewers with the approval of the owner. Approval by the owner would be deemed to have been given if no decision was notified within 28 days.</p> <p>Would the drafting of Article 14 provide a reasonable timescale for such requests to be properly considered?</p>

Q1.13.25	Applicant	<p>Article 17(1) states that the undertaker 'may acquire compulsorily so much of the Order land as is required for the authorised project, or to facilitate, or is incidental, to it. Use of 'may' is discouraged in DCO drafting.</p> <p>Please review the drafting of this article.</p>
Q1.13.26	Applicant	<p>Article 18 provides for the time limit for the exercise of compulsory acquisition powers to be 7 years. The Explanatory Memorandum [APP-028] states that this period is necessary due to the complexity and scale of the project. Whilst there are examples of a period of 7 years (Dogger Bank Teeside A and B) other projects, such as Hornsea Project Two and East Anglia Three have a time limit of 5 years. Paragraph 3.8.1.1 of the ES [APP-058] states that, in this case, construction is expected to begin in 2021.</p> <p>Please provide further justification for the proposed 7 year time limit.</p>
Q1.13.27	Applicant	<p>Schedule 6 of the dDCO gives details of the rights and covenants you seek for various plots of land. However, Article 19(1) as currently drafted would permit the creation of new rights and the imposition of restrictive covenants over all of the Order land, as shown on the Onshore Land Plan [APP-011] and described in the Book of Reference [APP-033].</p> <p>If this is your intention, please provide details of the new rights and restrictive covenants you seek to compulsorily acquire in the rest of the Order land not already shown in Schedule 6.</p> <p>Article 19(1) would also permit the compulsory acquisition of existing rights. Do you intend to acquire any existing rights compulsorily?</p>
Q1.13.28	Applicant	<p>Article 19(3) refers to paragraph 5 of Schedule 7.</p> <p>Please review and confirm whether this reference is correct.</p>

Q1.13.29	Applicant	<p>Article 21 applies the vesting procedures in the Compulsory Purchase (Vesting Declarations) Act 1981. Paragraph 5.39 of the Explanatory Memorandum [APP-028] states that the article has been updated to reflect changes brought about by the Housing and Planning Act 2016.</p> <p>Please explain the changes you propose in consequence of the Housing and Planning Act 2016.</p>
Q1.14.30	Applicant	<p>Please explain how Article 23(4) would interact with the proposed amendments to the Compulsory Purchase Act 1965, as set out in Schedule 7.</p>
Q1.13.31	Applicant	<p>Article 25 provides for temporary use of land. The applicant has sought to retain the flexibility to construct the development in two phases with a gap in construction of up to 3 years. This may have implications for landowners in terms of the duration of any temporary possession. The drafting of Article 25(3) does not appear to address the potential for a gap in construction works.</p> <p>When would a decision on the approach to phasing be made and how would this be communicated to landowners?</p> <p>Is it envisaged that the undertaker would remain in possession of land used under Article 25 during any gap in construction?</p> <p>How would Article 25 (as drafted) limit any impacts on landowners in the event that the development was to be constructed in phases?</p> <p>Insofar as the design flexibility sought by the applicant has impacts on the use and enjoyment of land, how would those impacts be minimised and/or mitigated?</p>
Q1.13.32	Applicant	<p>Article 34 would enable the removal of trees subject to tree preservation orders.</p> <p>Are there any trees subject to tree preservation orders within or adjacent to the Order limits and,</p>

		if not, is this article necessary?
Q1.13.33	Applicant	<p>Article 40, which deals with Crown rights, does not reflect recently approved drafting, for example in Article 37 of the East Anglia Three Offshore Wind Farm Order 2017.</p> <p>Please review this drafting in the light of recently approved examples.</p>
Q1.13.34	Applicant	<p>Article 42(4) would provide for a funding guarantee lasting for 15 years. An equivalent provision in the Hornsea Two Offshore Wind Farm Order 2016 provides for a period of 20 years.</p> <p>What is the justification for the period proposed in this application?</p>
Schedule 1, Part 1		
Q1.13.35	Applicant	<p>Part 1, paragraph 1(a) refers to an output of 'over 100 megawatts'. The MMO [RR-085] states that the dDCO should define an upper generating output limit as part of the 'Rochdale Envelope' approach.</p> <p>Please provide further justification for the suggested approach.</p> <p>How can it be demonstrated that the suggested approach could not allow an increase in the anticipated generating output and greater impacts than those assessed in the ES?</p>
Q1.13.36	Applicant	<p>Table 3.57 of the ES [APP-058] refers to 440 joint bays. These do not appear to be referred to in Part 1 of Schedule 1.</p> <p>Please review whether joint boxes ought to be included in Part 1.</p>
Requirements		
Q1.13.37	Applicant	<p>Requirement 1 provides for the time limit for commencement to be 7 years. The Explanatory Memorandum [APP-028] states that this period is necessary due to the complexity and scale of</p>

		<p>the project. Whilst there is precedent for a period of 7 years (Dogger Bank Teeside A and B) other projects, such as Hornsea Project Two and East Anglia Three have a time limit of 5 years. Paragraph 3.8.1.1 of the ES [APP-058] states that, in this case, construction is expected to begin in 2021.</p> <p>Please provide further justification for the proposed 7 year time limit.</p>
Q1.13.38	Applicant	<p>The drafting of Requirement 2 assumes a scheme of either up to 160 wind turbine generators (WTG) or precisely 300 WTG.</p> <p>Does this drafting cover the range of possible combinations of WTG numbers, types and layouts that is contemplated in the application?</p>
Q1.13.39	Applicant	<p>Requirement 5 refers to 'cable systems'. Part 1 of Schedule 1 refers to 'cable circuits' which is a term defined in Article 2.</p> <p>Is the difference intentional and, if it is, why is different terminology used?</p>
Q1.13.40	Applicant	<p>Requirement 6 refers to a scheme of phasing to be approved by the relevant planning authority (onshore) and the MMO (offshore). The ES [APP-058] assumes a maximum of 2 phases.</p> <p>Does the drafting of this requirement adequately secure the approach to phasing assessed in the ES?</p> <p>How would any difference of view between the MMO and a relevant planning authority and/or between adjoining relevant planning authorities be resolved?</p> <p>How does this requirement take account of the needs of those whose land and rights are affected by the phasing of construction works?</p>

		How would the scheme of phasing be communicated to those whose land and rights are affected by the phasing of construction works?
Q1.13.41	Applicant	<p>Requirement 7(1) provides for design details relating to onshore booster/substations to be approved, including implementation timetables for all landscaping works.</p> <p>Does this drafting ensure that the details of the landscaping works would be subject to approval?</p> <p>Would 'relating to that work' provide greater certainty than 'relating to that element'?</p>
Q1.13.42	Applicant	<p>Requirement 8 provides for landscape management plans relating to phases of the connection works to be approved.</p> <p>Would it be appropriate to refer to the relevant Work numbers, consistent with Requirement 7?</p> <p>Does this drafting ensure that the details of the landscaping works would be subject to approval?</p> <p>Are the phases referred to in this requirement the same as those to be approved under Requirement 6? If not, what is being referred to?</p> <p>Similar points in relation to references to phasing apply to Requirements 10, 12, 13, 16, 17, 18 and 19. Please comment in relation to those requirements as well.</p>
Q1.13.43	Applicant	<p>Requirement 9 provides for implementation of landscaping.</p> <p>Would the drafting be more precise if the appropriate British Standards were referred to explicitly?</p>
Q1.13.44	Applicant	Requirement 11 provides for details of accesses (including access management measures) to be approved although such approval would not be needed if there were no construction or

		<p>modification of an existing access.</p> <p>Would this drafting adequately protect highway safety, for example if temporary traffic management were needed because construction traffic would be using an existing access with restricted visibility splays?</p>
Q1.13.45	Applicant	<p>Requirement 15 provides for details of surface water drainage in relation to the HVAC booster station and HVDC/HVAC substation. Norfolk County Council (NCC) [RR-035] has proposed alternative, more detailed drafting.</p> <p>Please comment on the drafting suggested by NCC.</p> <p>In the Applicant's drafting, should 'and onshore HVAC booster station' be added after the second reference to HVDC/HVAC substation in (1) and the reference to HVDC/HVAC substation in (2)?</p> <p>Should 'and' be inserted after 'Environment Agency' in (1)?</p>
Q1.13.46	Applicant, NCC, BDC, NNDC, SNC	<p>Requirement 16 provides for a scheme of archaeological investigation to be approved by the relevant planning authority (defined as district planning authority in Article 2). NCC [RR-035] has proposed alternative, more detailed drafting in which NCC would be the determining authority.</p> <p>Please can the applicant comment on the drafting suggested by NCC.</p> <p>Which authority (or authorities) should be responsible for approving the scheme?</p>
Q1.13.47	Applicant	<p>Requirement 17 provides for codes of construction practice to be approved for phases of the connection works by the relevant planning authority.</p> <p>Would this create practical problems if a phase were to fall within more than one planning authority area?</p>

		Should the requirement include a clause to the effect that the works should be carried out in accordance with the approved codes of construction practice?
Q1.13.48	Applicant	<p>Requirement 18 provides for construction traffic management plans to be approved for phases of the connection works by the relevant planning authority.</p> <p>Would this create practical problems if a phase were to fall within more than one planning authority area?</p> <p>Should the requirement include a clause to the effect that the works should be carried out in accordance with the approved construction traffic management plans?</p> <p>The list of items in 18(2) appears to be more limited in scope that the Outline Construction Traffic Management Plan [APP-176] would suggest. Given that 18(1) requires accordance with the Outline Construction Traffic Management Plan in any event, is 18(2) necessary?</p>
Q1.13.49	Applicant	<p>Requirement 19 relates to European Protected Species.</p> <p>Should 'has been' be inserted in (2) before 'granted by Natural England'?</p>
Q1.13.50	Applicant	<p>Requirement 20 relates to restoration of land used temporarily for construction.</p> <p>Would it be appropriate to have a positive requirement to submit a scheme of restoration?</p> <p>The drafting assumes that the details will be approved. How would restoration be secured if the details were not approved?</p>
Q1.13.51	Applicant	Requirement 21 provides for the approval of a noise management plan for the HVAC/HVDC substation. The DCOs for some other projects (for example Hornsea Project Two and East Anglia

		<p>Three) have included specific noise limits in relation to identified sensitive receptors.</p> <p>Would it be appropriate to identify specific noise limits at sensitive receptors in the locality of the proposed HVAC booster station (if any) and the HVAC/HVDC substation?</p> <p>If so, what should those limits be?</p>
Q1.13.52	Applicant	<p>Requirement 22 relates to local skills and employment.</p> <p>Given the current uncertainty over the location of any onshore support activities, what confidence is there that this requirement would secure the economic benefits outlined in the ES?</p>
Q1.13.53	Applicant	<p>Requirement 23 refers to decommissioning. The drafting assumes that a scheme will be submitted to and approved by the relevant planning authority within three months of the cessation of commercial operation.</p> <p>How would this condition be enforced if no scheme were submitted?</p> <p>What would happen if the scheme were not approved?</p> <p>What examples are there of alternative mechanisms to secure appropriate decommissioning of comparable onshore infrastructure?</p>
<i>Potential additional requirements</i>		
Q1.13.54	Applicant	<p>Would it be appropriate, in the interests of mitigating impacts on benthic ecology, to include a requirement limiting the footprint of foundations and scour protection for each type of foundation contemplated in the application?</p> <p>If so, should there be different limits for the differing sizes of WTG which are proposed?</p>

Q1.13.55	Applicant	<p>The design parameters for the offshore accommodation platforms and substations would be secured through Requirement 3 and conditions on the DMLs. However there are no equivalent provisions in relation to the onshore HVAC booster station and the HVAC/HVDC substation.</p> <p>Would it be appropriate to include a requirement to secure the design parameters for the onshore HVAC booster station and the HVAC/HVDC substation as assessed in the ES?</p>
Q1.13.56	Applicant	<p>The ES makes extensive references to the use of horizontal directional drilling (HDD) as a form of mitigation in relation to impacts on ecology, landscape, recreation and highways. An onshore crossing schedule has been provided [APP-089].</p> <p>Is the onshore crossing schedule to be regarded as indicative or definitive?</p> <p>Would it be appropriate to include a requirement to secure the extent of HDD set out in the onshore crossing schedule?</p>
Q1.13.57	Applicant	<p>Articles 33 and 34 would permit the removal or lopping of trees and hedgerows which may be of landscape and ecological significance.</p> <p>Would it be appropriate to include a requirement to the effect that any works permitted under this article should not take place until relevant ecological surveys have been carried out and that any such works should be carried out in accordance with BS3998 2010 and BS5837 2012?</p>
Q1.13.58	Applicant	<p>NCC [RR-035] has suggested a requirement to secure the removal of temporary construction accesses and reinstatement of highway verges.</p> <p>Please comment on this suggested requirement.</p>
Schedules		
Q1.13.59	Applicant	Schedule 7 would modify Compulsory Acquisition enactments.



		<p>In paragraph 2(2)(a) should the phrase to be substituted be 'land is acquired or taken from' ?</p> <p>In paragraph 3 should sub-paragraphs (a), (b) and (c) of section 5A be substituted to maintain consistency within the section? (This would be to avoid a residual inappropriate reference in the un-amended part of the section to 'additional land')</p> <p>In paragraph 5 should the eighth line read 'are so modified as to secure...'?</p> <p>In relation to the 1965 Act, would it be appropriate to include wording to the effect that:</p> <p>References in the 1965 Act to land are, in the appropriate contexts, to be read (according to the requirements of the particular context) as referring to, or as including references to—</p> <p>(a) the right acquired or to be acquired, or the restriction imposed or to be imposed; or</p> <p>(b) the land over which the right is or is to be exercisable, or the restriction is or is to be enforceable.</p>
		<i>Schedule 11 – Deemed Marine Licence (generation assets)</i>
Q1.13.60	Applicant	<p>The definition of 'commence' includes offshore site preparation. A previous question regarding the definition of 'commence' in Article 2 of the dDCO also applies to this definition.</p> <p>Are there additional comments in relation to the definition in the Deemed Marine Licence (DML)?</p>
Q1.13.61	Applicant	<p>Paragraph 11 would require any differences relating to the provisions of the DML to be referred to arbitration. The MMO [RR-085] has suggested that this proposal would shift the responsibility of decision making from the hands of the regulator to an independent arbitrator, contrary to the intent of Parliament as set out in the Marine and Coastal Access Act 2009.</p> <p>Please comment on the MMO's view that this provision would be contrary to the intent of Parliament.</p>

		<p>What is the evidential basis for the suggestion that arbitration is necessary in relation to approvals required under the terms of the DML?</p> <p>Please provide legal submissions on the lawfulness of imposing an arbitration procedure on the MMO.</p> <p>Why would the procedures that would otherwise apply to decisions taken by the MMO be insufficient?</p>
Q1.13.62	Applicant	<p>The drafting of Condition 1 assumes a scheme of either up to 160 WTG or precisely 300 WTG.</p> <p>Does this drafting cover the range of possible combinations of WTG numbers, types and layouts that is contemplated in the application?</p>
Q1.13.63	Applicant	<p>The definition of maintenance works set out in Condition 4 includes 'major wind turbine component or offshore accommodation platform replacement'.</p> <p>Please provide some illustrative examples of the types of works envisaged.</p> <p>What works might be included if 'repowering' became necessary?</p> <p>Is this definition consistent with the equivalent definition in Article 2 of the DCO?</p>
Q1.13.64	Ministry of Defence (MoD)	<p>Condition 6 provides for aids to navigation. The MoD [RR-086] has commented that the DML should ensure that aviation warning lighting will be fitted to relevant offshore structures for the duration of the construction and operation of the scheme.</p> <p>Does the drafting of this condition meet your concern relating to aviation warning lights?</p>

		If not, what alternative drafting would you suggest?
Q1.13.65	Applicant	<p>Condition C11(1)(a)(iii) provides for the length and arrangement of cable to be approved.</p> <p>Is this intended to include depth of burial?</p> <p>How does the approval required under this condition relate to the cable specification and installation plan?</p>
Q1.13.66	Applicant	<p>Condition 11(1)(a) states that the approval of the MMO shall not be required where the proposed design is in accordance with the design principles. The MMO [RR-085] objects to that approach.</p> <p>Please comment on the MMO's objection to this aspect of the condition.</p>
Q1.13.67	Applicant	<p>Condition 11(1)(a)(v) provides for the indicative layout of the WTGs to be approved.</p> <p>Why would the layout only be indicative?</p> <p>At what stage (if any) would the MMO approve the actual layout?</p>
Q1.13.68	Applicant	<p>Condition 11(1)(h) (ii) provides for a cable specification and installation plan to be approved.</p> <p>Is it intended that the MMO would approve the depth of burial of any given section of cable?</p> <p>Without knowing the depths of burial that will be achieved what level of confidence is there in the volumes of excavated material assumed in the ES?</p>
Q1.13.69	Applicant	<p>Condition 11(2) provides for a written scheme of archaeological investigation to be submitted.</p> <p>Does the drafting make clear that this scheme would be subject to the approval of the MMO?</p>

		At what point would the decision be made to micro-site around a wreck? Is it intended that the actual siting would be subject to MMO approval?
Q1.13.70	Applicant	<p>Condition 12 sets a timetable of 8 weeks for the MMO to approve applications for consent under the DML.</p> <p>Is this a reasonable timetable having regard to the scale and complexity of the project?</p>
<i>Potential additional conditions</i>		
Q1.13.71	Applicant, MMO	<p>Would it be appropriate, in the interests of mitigating impacts on benthic ecology, to include a condition limiting the footprint of foundations and scour protection for each type of foundation contemplated in the application?</p> <p>If so, should there be different limits for the differing sizes of WTG which are proposed?</p>
Q1.13.72	Applicant, MMO	<p>The MMO [RR-085] has suggested that the volume and footprint of sandwave clearance and the amount of boulder clearance should be limited by a condition.</p> <p>Please can the Applicant comment on this suggestion.</p> <p>Please can the MMO comment on what measure(s) should be used in relation to the amount of boulder clearance.</p>
Q1.13.73	Applicant, MMO	<p>Paragraph 4.11.1.33 of the ES [APP-064] considers maximum hammer energy for piling operations. The MMO [RR-085] recommends that a condition is included to restrict the maximum hammer energy to the worst case scenario (5,000kJ), as assessed in the ES. However, that maximum relates to a WTG type which may not be used. There is an example (Dogger Bank Teesside A and B) of imposing limits relevant to the various foundation types under consideration.</p>

		<p>Would it be appropriate to include a condition restricting maximum hammer energy?</p> <p>If so, should any such restriction vary according to the foundation type being used?</p>
Q1.13.74	Applicant, MMO	<p>The MMO suggests that pre and post-construction surveys and monitoring should extend to benthic communities [RR-085]. Paragraph 2.11.1.14 of the ES [APP-062] addresses sandwave recovery but not the recoverability of benthic communities in any significant detail.</p> <p>Would it be appropriate to include a condition requiring the 'in-principle monitoring plan' to include pre and post-construction surveys and monitoring for benthic communities and geophysical features?</p>
<i>Schedule 12 – Deemed Marine Licence (transmission assets)</i>		
Q1.13.75	Applicant	<p>There are numerous provisions in this DML that mirror equivalent provisions in the DML for generation assets. Where questions have been asked above they are not repeated here. However, the applicant is invited to provide any additional comments in response to the above questions which are specific to this DML.</p>
Q1.13.76	Applicant	<p>Condition 5(2) limits maintenance works to those assessed in the ES. However, this is subject to a tailpiece 'unless otherwise approved by the MMO'.</p> <p>Is it appropriate to include a tailpiece which could enable works not assessed in the ES to be carried out?</p>
Q1.13.77	Applicant	<p>Condition 16 requires a pre-construction survey to identify Annex I reefs.</p> <p>How would the results of such surveys inform the micro-siting of the cables?</p> <p>Would detailed siting around Annex I reefs be subject to the approval of the MMO?</p>

Schedule 13 – Arbitration		
Q1.13.78	Applicant	<p>Paragraph 5.62 of the Explanatory Memorandum [APP-028] states that the suggested approach will provide greater certainty to all parties involved in the process.</p> <p>Who are those other parties likely to be?</p> <p>Has the applicant sought the views of those other parties on the suggested approach?</p> <p>Please provide further justification for the bespoke procedure set out in Schedule 13.</p> <p>Why do you consider that it is preferable to the arbitration procedure that would otherwise apply?</p>
Q1.13.79	Applicant	<p>Paragraph 6(4) of schedule 13 provides for costs to follow the event.</p> <p>What is the justification for imposing costs on regulatory bodies who may be acting reasonably in relation to their statutory functions?</p>
Q1.13.80	Applicant	<p>Paragraph 7 of Schedule 13 provides for confidentiality.</p> <p>What is the justification for seeking confidentiality where matters of public interest and environmental protection are involved?</p>

14. Compulsory acquisition		
Ref	Question to	Questions
Q1.14.1	Applicant	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.

		Please ensure that this document is kept up to date as the Examination progresses.
Q1.14.2	Applicant	<p>Paragraph 1.1.3.1 of the Statement of Reasons [APP-032] states that it has not yet been possible to acquire all of the land, the temporary use of land and the rights required by agreement. Negotiations are said to be ongoing. Paragraph 7.4.1.7 and Appendices A to D of the Statement of Reasons give further baseline information at the time that the application was submitted.</p> <p>Please give an update on the current position in respect of:</p> <ul style="list-style-type: none"> • access to land; • the status of negotiations with landowners and others affected by the project; and • 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.
Q1.14.3	Applicant	<p>Section 135 of PA2008 only permits the compulsory acquisition of interests held otherwise than by or on behalf of the Crown. It does not permit the compulsory acquisition of any interests owned by or on behalf of the Crown. However, paragraph 9.2.1.2 of the Statement of Reasons [APP-032] states that 'Section 135 of the PA 2008 provides that a DCO may include provisions authorising the compulsory acquisition of an interest in Crown Land or any other provisions relating to the Crown Land only if the Crown consents to the inclusion of the provisions.'</p> <p>Please review the wording of paragraph 9.2.1.2 of the Statement of Reasons.</p> <p>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.</p>
Q1.14.4	Applicant	<p>Paragraph 9.2.1.3 of the Statement of Reasons [APP-032] refers to Crown land discussions.</p> <p>Please give an update on the current position.</p>



Q1.14.5	Applicant	<p>Paragraphs 5.3.1.4 and 6.2.1.3 of the Statement of Reasons [APP-032] refer to the need (or otherwise) for an onshore booster station at Little Barningham (sheet 9 of the onshore land plans [APP-011]) and paragraph 6.2.1.5 of the Statement of Reasons refers to the maximum permanent land take.</p> <p>If the onshore booster station is not required, what would the extent of compulsory acquisition be?</p> <p>Depending on whether or not the onshore booster station is required, how and when would landowners know the extent of compulsory acquisition of their land and/or interests?</p> <p>Would the uncertainty imposed upon the landowners in question be justified and proportionate?</p> <p>To the extent that there is land that would not be required if there were no onshore booster station, how can the compulsory acquisition of such land be justified given the availability of alternative transmission technology?</p>
Q1.14.6	Applicant	<p>Paragraph 5.3.1.5 of the Statement of Reasons [APP-032] refers to the outstanding choice between a HVDC converter station and a HVAC substation close to the existing Norwich Main substation at Mangreen. Paragraph 6.2.2.5 of the Statement of Reasons implies that the area required for the HVDC converter station is less than that required for the HVAC substation.</p> <p>If the HVDC option is selected, what would the extent of compulsory acquisition be?</p> <p>Depending on whether or not the HVDC is selected, how and when would landowners know the extent of compulsory acquisition of their land and/or interests?</p> <p>Would the uncertainty imposed upon the landowners in question be justified and proportionate?</p>

		To the extent that there is land that would not be required if the HVDC option is selected, how can the compulsory acquisition of such land be justified given the availability of alternative transmission technology?
Q1.14.7	Applicant	<p>Paragraph 1.2.1.1 of the Funding Statement [APP-029] mentions 'a number of 100% owned subsidiary companies' and these are shown in Figure 1.1. An overall company overview is given in section 8.5 of Annex 2 to the Funding Statement [APP-031].</p> <p>Explain the need for such a long chain of companies.</p> <p>What other companies are also owned in whole or in part by the various companies in the chain?</p> <p>What impact does this arrangement have on the likely funding for this project?</p>
Q1.14.8	Applicant	<p>Paragraph 1.3.1.4 of the Funding Statement [APP-029] states that the total contingent liability associated with the acquisition of land or interests in land is £28 million. A financial assessment is given in paragraphs 7 and 8 on page 2 of Annex 1 to the Funding Statement [APP-030].</p> <p>Please give an update on this assessment, bearing in mind</p> <ul style="list-style-type: none"> • the choice of transmission technology for the project; • the need (or otherwise) for an onshore booster station at Little Barningham (sheet 9 of the onshore land plans [APP-011]); and • the outstanding choice of alignment at Moor Farm (sheet 16 of the Onshore Land Plan [APP-011]).
Q1.14.9	Applicant	Paragraph 1.3.1.4 of the Funding Statement [APP-029] states that the total contingent liability associated with the acquisition of land or interests in land is £28 million, with a financial assessment provided in Annex 1 to the Funding Statement [APP-030].

		On what basis is the figure of 10% used as a contingency?
Q1.14.10	Applicant	<p>Paragraph 1.3.1.4 of the Funding Statement [APP-029] states that it is not expected that there will be any claims for blight.</p> <p>Please explain the basis for this statement.</p>
Q1.14.11	Applicant	<p>Paragraphs 8.3.2.5, 8.3.2.9 and 8.3.2.11 of the Statement of Reasons [APP-032] and paragraph 1.4.1.1 of the Funding Statement [APP-029] refer to the prospects for achieving a Contract for Difference and proceeding to a Final Investment Decision.</p> <p>When do you expect to conclude a Contract for Difference?</p> <p>Do you expect further reductions in the strike price?</p> <p>What (if any) impediments are there to the Final Investment Decision being taken?</p>
Q1.14.12	Applicant	<p>In section 7.1 (page 131) of Annex 2 to the Funding Statement [APP-031], you state that your most significant market risks relate to:</p> <ul style="list-style-type: none"> • energy prices; • foreign exchange rates; • inflation rates; and • interest rates. <p>How do you see these factors manifesting themselves in the future?</p> <p>What effect are they likely to have on your ability to finance the project over its lifetime?</p>
Q1.14.13	Applicant	Article 42 of the dDCO refers to either a guarantee under 42(1)(a) or an alternative form of

		<p>security under 42(1)(b).</p> <p>Please give examples of the alternative form(s) of security contemplated.</p> <p>What factors would lead the undertaker to choose either a guarantee or the alternative security?</p>
Q1.14.14	Applicant	<p>Article 42(3) states that 'a guarantee or alternative form of security ... is to be treated as enforceable against the guarantor or person providing the alternative form of security by any person to whom such compensation is payable and must be in such a form as to be capable of enforcement by such a person'. Paragraph 1.4.1.6 of the Funding Statement [APP-029] states that the 'guaranteed funding (for compulsory acquisition) will be held by a means that is directly accessible to persons entitled to compensation'.</p> <p>Please explain how such funding would be directly accessible to persons entitled to compensation.</p>
Q1.14.15	Broadland District Council, North Norfolk District Council, South Norfolk Council	<p>Paragraph 1.4.1.7 of the Funding Statement [APP-029] considers the arrangements for the approval of a funding guarantee and concludes that such approval should be given by the Secretary of State rather than being delegated to local authorities.</p> <p>Do you agree with the Applicant's conclusion?</p>
Q1.14.16	Applicant	<p>Paragraph 5.2.1.2 of the Statement of Reasons [APP-032] refers to the cable corridor width being 'typically 80m'. Paragraph 6.3.2.5 of the Statement of Reasons refers to a width of 80m. Paragraph 3 on page 2 of Annex 1 to the Funding Statement [APP-030] states that the onshore cable corridor will have a standard working width of 80m, wider at complex crossings,</p>

		<p>obstructions or storage areas and with a total area required for construction of 488 hectares including an allowance for severed areas.</p> <p>Does the 80m standard working width apply irrespective of which transmission technology is chosen?</p> <p>What level of confidence is there that all locations where extra width will be required have been identified?</p> <p>Is the extra width needed at complex crossings the same irrespective of which transmission technology is chosen?</p> <p>Is extra width also needed at horizontal bends in the alignment?</p> <p>If so, how much is required and is this extra width dependent on which transmission technology is chosen?</p> <p>How have severed areas been assessed in order to arrive at the overall figure of 488 hectares?</p>
Q1.14.17	Applicant	<p>Paragraph 1.1.2.2 of the Statement of Reasons [APP-032] states that 'Hornsea Three may use HVAC or HVDC transmission, or could use a combination of both technologies in separate electrical systems'.</p> <p>Please explain how the choice of HVAC, HVDC, or a combination of both technologies in separate electrical systems, would affect how much land would actually be required for the project.</p> <p>What would happen to any Order land found not to be required once the choice of transmission technologies had been made?</p> <p>How would the interests of those whose land may or may not be required, as a consequence of</p>

		the choice of transmission technologies, be protected?
Q1.14.18	Statutory Undertakers	<p>Paragraphs 1.1.3.2 and 1.1.3.3 of the Statement of Reasons [APP-032] refer to powers being sought in order for the Applicant to be able construct, operate and maintain the authorised project.</p> <p>Are you content with the provision in Article 19 paragraph (5) authorising the Applicant to transfer the power to acquire new rights or impose restrictions?</p>
Q1.14.19	Statutory Undertakers	<p>Paragraph (5) of Article 20 would dis-apply Article 20 in respect of statutory undertakers and refers to section 138 of PA2008 and Article 27 of the dDCO. Article 27 refers to Schedule 9 (protective provisions).</p> <p>Are you satisfied that your interests are adequately protected?</p> <p>Do you consider that the protective provisions would meet the requirements of s127 and s138 of PA2008?</p>
Q1.14.20	Highways England	<p>Paragraph (5) of Article 20 would dis-apply Article 20 in respect of statutory undertakers and refers to section 138 of PA2008 and Article 27 of the dDCO. Article 27 refers to Schedule 9 (protective provisions).</p> <p>Are you satisfied that your interests are adequately protected, in particular where the proposed project would cross the A11 and A47 trunk roads?</p>
Q1.14.21	Applicant	<p>Paragraph 1.1.3.7 of the Statement of Reasons [APP-032] makes reference to Articles 25 and 26 in respect of temporary use of Order land. Article 25(4) refers to:</p> <ul style="list-style-type: none"> • serving notice of entry under the 1965 Act; • making a declaration under section 4 of the 1981 Act; and

		<ul style="list-style-type: none"> • otherwise acquiring the land or rights over land. <p>Please explain the circumstances in which each of these would be used on the project.</p>
Q1.14.22	Applicant	<p>Paragraph 1.1.3.7 of the Statement of Reasons [APP-032] makes reference 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?</p> <p>If so, how would this be secured?</p>
Q1.14.23	Applicant	<p>Paragraph 1.1.3.9 of the Statement of Reasons [APP-032]) states that you have explored reasonable alternatives to compulsory acquisition and made reasonable attempts to acquire the land and rights over land by agreement.</p> <p>Please explain what reasonable alternatives to compulsory acquisition have been explored.</p> <p>What attempts have there been to secure the necessary land and rights by agreement?</p>
Q1.14.24	Applicant	<p>Paragraphs 5.2.2.1 to 5.2.2.5 of the Statement of Reasons [APP-032] refer to the outstanding choice of cable alignment at Moor Farm. Both alignments currently under consideration are shown on sheet 16 of the Onshore Land Plan [APP-011].</p> <p>Should there be an open bracket before the word "plots" in paragraph 5.2.2.2?</p> <p>Please give an update on progress with negotiations on the alternative cable alignments and whether or not there is agreement with the land owner on a preferred alignment.</p>

Q1.14.25	Applicant	<p>Paragraphs 5.2.3.1 to 5.2.3.4 of the Statement of Reasons [APP-032] refer to the outstanding choice of cable corridor access routes north of Norwich Road. Both access routes currently under consideration are shown on sheet 30 of the Onshore Land Plan [APP-011].</p> <p>Please give an update on progress with access for surveys and negotiations on the alternative cable corridor access routes and whether or not there is agreement with the landowner on which is preferred.</p>
Q1.14.26	Applicant	<p>Paragraph 1.1.5.1 of the Statement of Reasons [APP-032] specifies those parts of the Order land which are public open space:</p> <ul style="list-style-type: none"> • parts of the foreshore and beach north of Weybourne military camp; • part of a woodland known as Bodham Wood; and • parts of a heritage trail known as Marriott’s Way. <p>Paragraph 1.1.5.2 of the Statement of Reasons states that there will be temporary interference with the use of the open space land during the construction period.</p> <p>For each of the above locations, please describe the nature of the temporary interference in terms of:</p> <ul style="list-style-type: none"> • overall duration; • time of day/week/year; and • impact of construction activities on those using the open space. <p>What alternative working methods have been considered in order to minimise the overall impact of construction on each site?</p>
Q1.14.27	Applicant	<p>Paragraph 1.1.5.1 of the Statement of Reasons [APP-032] specifies those parts of the Order land</p>

		<p>which are public open space:</p> <ul style="list-style-type: none"> • parts of the foreshore and beach north of Weybourne military camp; • part of a woodland known as Bodham Wood; and • parts of a heritage trail known as Marriott’s Way. <p>Paragraph 1.1.5.3 of the Statement of Reasons states that there may be occasional future maintenance activities and that any interference with public recreational use of the open space land as a result would be temporary in nature.</p> <p>For each of the above locations, please describe the nature of the temporary interference in terms of:</p> <ul style="list-style-type: none"> • overall duration • time of day/week/year • impact of activities on those using the open space. <p>What alternative working methods have been considered in order to minimise the overall impact of maintenance activities on each site?</p>
Q1.14.28	Applicant	<p>Paragraph 1.1.5.1 of the Statement of Reasons [APP-032] specifies those parts of the Order land which are public open space:</p> <ul style="list-style-type: none"> • parts of the foreshore and beach north of Weybourne military camp; • part of a woodland known as Bodham Wood; and • parts of a heritage trail known as Marriott’s Way. <p>Paragraph 1.1.5.4 of the Statement of Reasons states that the open space land when burdened with the rights sought in the Order will be no less advantageous to the public than it was before.</p>

		Please explain the basis for your conclusion for each of the above locations.
Q1.14.29	Applicant	<p>Paragraph 2.1.1.8 of the Statement of Reasons [APP-032] states that negotiations for the purchase of land, rights and interests are ongoing but that it is necessary to seek Compulsory Acquisition powers.</p> <p>Please explain why it is necessary to seek compulsory acquisition powers over land where agreement has been reached?</p>
Q1.14.30	Applicant	<p>Paragraph 5.2.1.4 of the Statement of Reasons [APP-032] states that the width of the permanent and/or temporary areas may change where obstacles are encountered.</p> <p>By how much might the width of the permanent and/or temporary areas change?</p> <p>Does this mean that it is possible to modify the cable spacing and/or working areas locally?</p> <p>To what extent and over what distance might such local modifications occur?</p> <p>Does this mean that there may be areas of land within the Order limits which are not required?</p> <p>If so, what would happen to such land?</p> <p>Can you confirm that any such modifications would be within the Order limits sought?</p> <p>How do you know that the land within the Order limits as applied for is the minimum necessary if the alignment is not fixed?</p>
Q1.14.31	Network Rail	Paragraph 5.3.1.2 of the Statement of Reasons (APP-032) states that there are crossing points with existing infrastructure including railway lines.

		Are you satisfied that your interests and those of the train operators who use your infrastructure are adequately protected?
Q1.14.32	Applicant	<p>Paragraph 7.3.1.1 of the Statement of Reasons [APP-032] refers to the continuation of private rights where this would not interfere with the construction or operation of the Hornsea Project Three.</p> <p>How and when would the undertaker decide whether existing private rights would continue?</p>
Q1.14.33	Applicant	<p>Schedule 4 gives details of those 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-016].</p> <p>Where diversions are to be put in place, how would the necessary rights be secured?</p>
Q1.14.34	Applicant	<p>The Onshore Crossing Schedule [APP-089] states that the crossing of Footpath - Weybourne FP7 (OID 534) is to be by 'HDD with haul road over or Open Cut' and that prior to stopping up or localised diversion the Parish Council would agree measures in accordance with Outline Code of Construction Practice.</p> <p>Would it be appropriate to commit to horizontal directional drilling (HDD) at this location to minimise impacts on users of the footpath?</p> <p>Please explain what other measures might be used.</p>
Q1.14.35	Applicant	Given the standard cable corridor width of 80m, please explain why plots 1-001, 1-002, 1-003, 1-004, 1-006 and 1-008 as shown on sheet 1 of the Onshore Land Plan [APP-011] are the size they are.
Q1.14.36	Applicant	Should plot 1-023 as shown on sheet 1 of the Onshore Land Plan [APP-011] be contiguous with plot 1-022?

Q1.14.37	Applicant	Given the standard cable corridor width of 80m, please explain why plot 3-019 as shown on sheet 3 of the Onshore Land Plan [APP-011] appears to be up to around 120m wide.
Q1.14.38	Applicant	In the Onshore Crossing Schedule [APP-089], OID 468 is shown as Cromer Road (A148). Should this read Kelling Road?
Q1.14.38	Applicant	In the Onshore Crossing Schedule [APP-089], OID 425 is shown as Little Barningham Road. Should this read Little Barningham Lane as shown on sheet 9 of the Onshore Land Plan [APP-011]?
Q1.14.39	Applicant	Sheet 9 of the Onshore Crossing Schedule [APP-089] shows HDD 74a as 'Horizontal Directional Drilling with haul road over or Open Cut'. There does not appear to be a corresponding entry in the schedule itself. Please explain this apparent inconsistency.
Q1.14.40	Applicant	Should plots 11-007 and 11-008 as shown on sheet 11 of the Onshore Land Plan [APP-011] be contiguous with plots 11-005 and 11-006?
Q1.14.41	Applicant	Plot 13-006 as shown on sheet 14 of the Onshore Land Plan [APP-011] narrows locally to just over 60m wide at its southern end. Plot 32-004 as shown on sheet 32 of the Onshore Land Plan [APP-011] tapers over a distance of around 200m to around 60m wide. Given the standard cable corridor width of 80m, please confirm that these widths are sufficient to enable the project to be constructed.
Q1.14.42	Applicant	Sheet 15 of the Onshore Land Plan [APP-011] and the Book of Reference [APP-033] both show

		<p>plot 15-007 as Reepham Road and plot 15-009 as B1145 Cawston Road. However, they appear on sheet 15 of the Onshore Crossing Schedule [APP-089] where they are described as OID 359 (HDD_58) Wood Dalling Road and OID 351 (HDD_56) Anglian Water respectively.</p> <p>Please amend as necessary to ensure consistency.</p>
Q1.14.43	Applicant	<p>The Onshore Crossing Schedule [APP-089] states that the crossing of Footpath - Reepham FP18 (OID 346) is to be by 'HDD with haul road over or Open Cut' and that prior to stopping up or localised diversion the parish council would agree measures in accordance with the Outline Code of Construction Practice.</p> <p>Would it be appropriate to commit to HDD at this location to minimise impacts on users of the footpath?</p> <p>Please explain what other measures might be used.</p>
Q1.14.44	Applicant	<p>Given the standard cable corridor width of 80m, please explain why plot 16-001 as shown on sheet 16 of the Onshore Land Plan [APP-011] appears to be up to around 120m wide.</p>
Q1.14.45	Applicant	<p>Should plots 19-002 and 19-004 as shown on sheet 19 of the Onshore Land Plan [APP-011] be contiguous with plots 19-001, 19-005, 19-006 and 19-007?</p>
Q1.14.46	Applicant	<p>In the Onshore Crossing Schedule [APP-089], OID 240 is shown as Ringland Lane (HDD_38).</p> <p>Is it actually the track leading to Field Farm as shown on sheet 22 of the Onshore Land Plan [APP-011]?</p>
Q1.14.47	Applicant	<p>Please explain the need for plots 23-006 and 23-007 as shown on sheet 23 of the Onshore Land Plan [APP-011].</p>

Q1.14.48	Applicant	<p>There are some small areas of land which it appears would be landlocked for the duration of the works by land subject to temporary possession (for example plot 1-020 on sheet 1 of the Onshore Land Plan [APP-011]).</p> <p>Please confirm that all persons with interests in landlocked plots have been included as Category 3 persons in Part 2b of the Book of Reference [APP-033].</p>
----------	-----------	--

15. General		
Ref	Question to:	Questions
Q1.15.1	Applicant	Please provide revised summary tables for all ES chapters showing the relevant National Planning Policy Framework 2018 policies and any revised Planning Policy Guidance extracts that you have relied upon.
Q1.15.2	Applicant	<p>The Secretary of State will need to have regard to the Public Sector Equality Duty when determining this application.</p> <p>Please provide an assessment of any equalities impacts the project may have.</p>
Q1.15.3	Applicant	<p>The lists of other plans or projects and maximum design scenarios for the cumulative effect assessments of each principal ES chapter do not account for the change in status of more recent projects such as Norfolk Vanguard and Thanet Extension.</p> <p>Please provide updated tables and assessments that take into account all relevant plans and projects that have emerged since the application was submitted.</p>

Q1.15.4	Marine Management Organisation (MMO)	<p>The MMO [RR-085] states that the assessment of significance of effect in the ES has not been undertaken in line with the Rochdale envelope approach in that the maximum potential effect has not been identified.</p> <p>Please provide specific examples where, in your view, the ES assessments are not in line with the Rochdale envelope approach.</p>
Q1.15.5	Applicant, Highways England	<p>Highways England has drawn attention for the need to have regard to the delivery of improvement works to the A47 in the vicinity of the proposed cable crossing [RR-149].</p> <p>What assessment has been carried out of the engineering requirements for the highway improvements and the cable crossing, such as to establish whether the two projects can co-exist satisfactorily?</p> <p>How would the powers sought by the applicant interact with those which may in due course be sought by Highways England?</p> <p>Should the Order include protective provisions in respect of Highways England?</p>
Q1.15.6	Applicant	<p>Paragraph 1.2.1.5 of the Outline Code of Construction Practice [APP-179] states that it would be a 'living document' that would be updated post examination.</p> <p>How would adequate mitigation be delivered and the necessary framework for the production of detailed Codes of Construction Practice be secured if this document is not finalised by the end of the examination?</p>
Q1.15.7	Applicant	<p>Paragraph 1.2.1.2 of the Outline Ecological Management Plan [APP-180] states that it is a 'living document' that would be updated as required prior to implementation.</p> <p>How would adequate mitigation be secured if it is not finalised by the end of the examination and</p>

		then used as the basis for detailed Ecological Management Plans approved pursuant to Requirement 10?
Q1.15.8	Natural England (NE), Environment Agency (EA), Royal Society for the Protection of Birds (RSPB), Norfolk Wildlife Trust (NWT), Broadland District Council (BDC), North Norfolk District Council (NNDC), South Norfolk Council (SNC)	Please comment on the Outline Code of Construction Practice [APP-179] and comment on any potential amendments that may, in your view, be required in order the secure appropriate environmental outcomes and regulatory compliance.
Q1.15.9	Applicant	Paragraph 1.3.1.2 of the Outline Code of Construction Practice [APP-179] states that local authorities, the highway authority and the MMO would agree or be consulted upon the content of any detailed Codes of Construction Practice. Would it be appropriate to include NE and the EA?



Q1.15.10	Applicant	<p>Paragraph 4.1.7.7 of the Outline Code of Construction Practice [APP-179] states that secondary construction compounds may be required.</p> <p>Please specify where these are likely to be located.</p>
Q1.15.11	NE, EA, RSPB, NWT	<p>Please comment on the Outline Ecological Management Plan [APP-180] and comment on any potential amendments may, in your view, be required in order to secure appropriate environmental outcomes and regulatory compliance.</p>
Q1.15.12	NE, BDC, NNDC, SNC	<p>Please comment on the Outline Landscape Management Plan [APP-181] and comment on any potential amendments that may, in your view, be required in order the secure appropriate mitigation of landscape and visual impacts.</p>
Q1.15.13	Applicant	<p>Paragraph 1.1.1.4 of the Outline Landscape Management Plan [APP-181] states that the final version would be agreed with local planning authorities.</p> <p>Is it intended that the final version would be agreed during the course of the examination?</p>
Q1.15.14	National Federation of Fisherman's Organisations, Eastern Inshore Fisheries and Conservation Authority, MMO, The Wash and North Norfolk	<p>Please comment on the Outline Fisheries Coexistence and Liaison Plan [APP-183] and suggest any potential amendments that may, in your view, be required in order to secure appropriate liaison and consultation with the fishing industry.</p>

	Marine Partnership	
Q1.15.15	Applicant	<p>Paragraph 1.3.1.2 of the Outline Fisheries Coexistence and Liaison Plan [APP-183] states that it is a 'living document' that would be updated throughout the post consent process despite the preparation of a detailed Fisheries Coexistence and Liaison Plan.</p> <p>How would the production of an Outline Fisheries Coexistence and Liaison Plan be secured if it is not finalised by the end of the examination?</p>
Q1.15.16	Applicant, BDC	<p>Several interested parties, including BDC [RR-057], have drawn attention to a dismissed planning appeal in 2014 for an anaerobic digester plant at Oulton Airfield.</p> <p>Please comment on the relevance and implications of that appeal decision for Hornsea Project Three, particularly in relation to the appeal Inspector's conclusions regarding effects on local highway conditions, highway safety on Oulton Street and the living conditions of local residents.</p>

EN010080: Hornsea Project Three - Examining Authority's first written questions and requests for information

ANNEX A – SCHEDULE OF OBJECTIONS TO GRANTING OF COMPULSORY ACQUISITION POWERS

Obj No. ⁱ	Name/ Organisation	IP/AP Ref No ⁱⁱ	RR Ref No ⁱⁱⁱ	WR Ref No ^{iv}	Other Doc Ref No ^v	Interest ^{vi}	Permanent/ Temporary ^{vii}	Plot(s)	CA? ^{viii}	Status of objection
79										
80										
81										
82										
83										
84										
85										
86										
87										

ⁱ Obj = objection number.

ⁱⁱ Reference number assigned to each Interested Party (IP) and Affected Person (AP)

ⁱⁱⁱ Reference number assigned to each Relevant Representation (RR) in the Examination library

^{iv} Reference number assigned to each Written Representation (WR) in the Examination library

^v Reference number assigned to any other document in the Examination library

^{vi} This refers to parts 1 to 3 of the Book of Reference:

- Part 1, containing the names and addresses of the owners, lessees, tenants, and occupiers of, and others with an interest in, or power to sell and convey, or release, each parcel of Order land;
- Part 2, containing the names and addresses of any persons whose land is not directly affected under the Order, but who "would or might" be entitled to make a claim under section 10 of the Compulsory Purchase Act 1965, as a result of the Order being implemented, or Part 1 of the Land Compensation Act 1973, as a result of the use of the land once the Order has been implemented;
- Part 3, containing the names and addresses of any persons who are entitled to easements or other private rights over the Order land that may be extinguished, suspended or interfered with under the Order.

^{vii} This column indicates whether then Applicant is seeking compulsory acquisition or temporary possession of land/ rights

^{viii} CA = compulsory acquisition. The answer is 'yes' if the land is in parts 1 or 3 of the Book of Reference and the Applicant is seeking compulsory acquisition of land/ rights