

Hornsea Project Three  
Offshore Wind Farm



## Hornsea Project Three Offshore Wind Farm

Covering Letter to Deadline 2 submission

Planning Inspectorate Ref: EN010080

Date: November 2018

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Offshore Wind Farm

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5 Howick Place,

London, SW1P 1WG

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Front cover picture: Kite surfer near a UK offshore wind farm © Ørsted Hornsea Project Three (UK) Ltd., 2018.

National Infrastructure Directorate  
The Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Kay, Karl-Jonas

**The proposed Hornsea Project Three Offshore Wind Farm Order (“the Order”)**  
**Application ref: EN010080**

**The Applicant’s Submissions in response to Deadline 2**

We are pleased to enclose Orsted Hornsea Project Three (UK) Ltd's (“the Applicant”) response to Deadline 2, required for submission today, Wednesday 21 November 2018.

These documents have been prepared by the Applicant and have been produced in response to the Examining Authority’s (“ExA”) letter of 9 October 2018 (“the Rule 8 letter”). The documents are pursuant to Rules 10(1) and (2) of the Infrastructure Planning (Examination Procedure) Rules 2010 and are in connection with the Development Consent Order application (“the Application”) for the proposed Hornsea Project Three Offshore Wind Farm (hereafter referred to as “Hornsea Three”).

**Deliverables**

The Applicant has prepared the following documents:

- Applicant’s comments on Written Representations made by Interested Parties;
- Applicant’s comments on Local Impact Reports; and
- Applicant’s comments on Interested Parties' responses to the ExA’s first Written Questions.

The Applicant has also included:

- Updated Applicant’s Guide to the Application.
- Updated Applicant’s Statement of Commonality of Statements of Common Ground (SoCG).
- Signed Statement of Common Ground between North Norfolk District Council and the Applicant.
- Submissions previously requested by the ExA not issued for Deadline 1.

To assist the ExA in identifying the locations where an accompanied site visit has been requested, the Applicant has prepared a table and supporting plan.

### **Submissions Not Issued at Deadline 2**

The ExA's first written questions (Question Q1.15.2) requested the applicant provide an assessment of any equalities impact the project may have. In response to the question at Deadline 1, the applicant advised that it proposes to submit this at Deadline 2. This has not been possible. The documentation is well advanced but will now need to be submitted at Deadline 3.

### **Proposed Minor Amendments to Order Limits (Onshore)**

The Applicant wishes to give notice to the ExA that it will be seeking to make two changes to the application Order Limits for consent, which do not introduce any new landowners or interests into the scheme.

- Minor realignment around land owned by John Innes Centre – to maintain integrity of the scientific studies being undertaken in the field currently subject to the proposed works. The change extends to plots 27-009, 27-010, 27-011 and 27-012. As noted in Statement of Reasons [APP-032] the John Innes Centre (plots 27-012 and 27-013) is a research centre specialising in plant science and research). Plot 27-009 and plot 27-010 are owned by the Lombe Estate Trust and plot 27-011 is public highway with subsoil owned by each adjoining landowner.
- Minor widening of the road access point at the proposed onshore HVAC Booster Station (at the intersection with B1149) to provide sufficient visibility and abnormal load swept path to accommodate the transportation of the transformers to site. The change extends to plots 9-025 and 10-004. Plot 9-025 is land in the ownership of Peter John George Seaman and 10-004 is public highway with subsoil ownership being Peter John George Seaman.

The Department for Communities and Local Government document 'Planning Act 2008: Guidance for the examination of applications for development consent' (here after referred to as 'the Guidance') (paragraphs 105 to 107) recognises that applicants may need to change a proposal after an application has been accepted for examination. Legitimate reasons for such changes as set out in the Guidance include the type of factors that have arisen in this case, namely technical developments and the discovery of unknown factors that need to be addressed to preserve the benefit of the proposed development. Consistent with paragraphs 106 and 107 of the Guidance, the Applicant will demonstrate that the two proposed changes to the Application are minor, not material and can still be considered under the Application.

In preparing the material to support these changes, the Applicant is mindful of the rationale expressed in the case of *Bernard Wheatcroft Ltd v Secretary of State for the Environment* (1982) 43 P & CR 233 which establishes that in accepting the amendment the ExA must be satisfied that to do so would not prejudice an interested party or deprive those who would have had a right to be consulted on the changed proposals with the opportunity of such consultation.

These changes will also include the powers of compulsory acquisition, with the Applicant reliant on Section 123(3) of the Planning Act 2008, which allows for provision to be made for compulsory acquisition in relation to additional land where all persons with an interest in the land so consent.

At Deadline 3 (14<sup>th</sup> December), the applicant proposes to submit a supporting note documenting:-

- The proposed changes;
- Actions completed by the Applicant including discussions with affected landowners; and
- Reasons for the changes.

If, on receipt of the material in support of the change issued at Deadline 3 the ExA is minded to accept the principle of the change, the Applicant will then initiate a 28 days period of targeted consultation. Responses to which would be due back prior to Deadline 5 (23 January).

At Deadline 4 (15 January), the Applicant proposes to submit a supporting documentation confirming:-

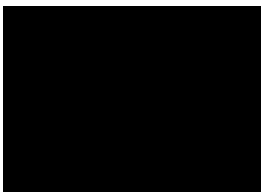
- Assessment of the environmental effects;
- Consideration of the materiality of the changes; and
- Replacement copies to certified plans (including land plans and work plans).

### **Documentation Deliverables to D2**

These documents are being issued over a series of emails, each email containing a pdf file or files. The last email to be issued by the Applicant will contain a supporting file tracking sheet to help the ExA ensure that it has received each email transmission.

Please acknowledge safe receipt of these documents. If we can be of any assistance in that regard, please do not hesitate to contact us.

Yours faithfully,



Andrew Guyton

Hornsea Project Three Consents Manager

Hornsea Project Three Offshore Wind Farm

cc. Stuart Livesey, Project Development Manager, Hornsea Project Three Offshore Wind Farm