

Mr Gareth Leigh  
Head of Energy Infrastructure Planning  
Department for Business, Energy and Industrial Strategy  
1 Victoria Street  
London  
SW1H 0ET

Email: [beiseip@beis.gov.uk](mailto:beiseip@beis.gov.uk)

(Uploaded to Planning Inspectorates shared folder "Hornsea Project Three Wind Farm Submissions folder" on 14.02.2020)

14 February 2020

**Hornsea Project Three Offshore Wind Farm**  
**Application ref: EN010080**

Your ref. EN010080  
Our ref. HOW03\_CON2\_14022020

**The Applicant's Response to Secretary of State's Consultation 2**

Dear Mr Leigh

We are pleased to enclose a response from Orsted Hornsea Project Three (UK) Limited ("the Applicant") to the Secretary of State's correspondence dated 27 September 2019 and 17 December 2019 ("the Consultation"), required for submission today, Friday 14 February 2020. A full list of documents provided in response to the Consultation is provided below under "Consultation Deliverables".

Post Examination, the Applicant has continued to vigorously re-appraise the envelope for Hornsea Three and has committed to further, material reductions to the maximum design scenario (MDS) and additional mitigation for Hornsea Three where feasible (**Appendix 4** to the Applicant's Response), including:

- Decrease in maximum number of turbines from 300 to 231.
- Increase in minimum rotor tip height of turbines from 34.97m above LAT/33.17 above MSL<sup>1</sup> to 41.8m above LAT/40m above MSL.
- Decrease in total rotor swept area from 9km<sup>2</sup> to 8.8km<sup>2</sup>.
- Removal of all infrastructure from Markham's Triangle Marine Conservation Zone (MCZ) (also referenced in **Appendix 5** to the Applicant's response is an updated MCZ Assessment).
- Reduction in cable rock protection within European designated sites from 10% of length of each cable within the designated site to 6%.
- Reduction in cable rock protection within the Cromer Shoal Chalk Beds MCZ from 10% of length of each cable within the site to 7%.

These refinements have led to substantial reductions in the impacts to the European designated sites and MCZs referred to in the Secretary of State's Consultation. This is documented in **Appendix 1, 2, 3 and 4** to the Applicant's Response.

The Applicant remains confident of its position that Hornsea Three, on the basis of the MDS set out during the Examination, would not give rise to any adverse effect

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<sup>1</sup> Mean Sea Level

on a European designated site nor would it have a significant risk of hindering the achievement of the conservation objectives stated for any MCZ, and therefore, the Applicant's Response to the Secretary of State's Consultation is made without prejudice.

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Should the Secretary of State conclude an adverse effect on integrity (AEOI), enclosed with this letter is the necessary information to support a clear and overriding Habitats Regulations Assessment (HRA) derogation case for Hornsea Three, which could be relied upon by the Secretary of State if required (**Appendix 1 and 2** to the Applicant's Response). Similarly, the Applicant has provided the Secretary of State with the necessary information to support an MCZ derogation case fulfilling the requirements of the condition in section 126(7) of the Marine and Coastal Access Act 2009 relating to MCZs if required (**Appendix 3** to the Applicant's Response).

In accordance with the Secretary of State's Consultation request, in preparing its response the Applicant has consulted openly and transparently with the key stakeholders, specifically Natural England and the Marine Management Organisation, which has been welcomed by the key stakeholders. The Applicant has shared information on a without prejudice basis, to provide parties with the opportunity to consider and contribute towards the development of the HRA and MCZ Derogation Cases for Hornsea Three. A Record of Consultation is set out in **Appendix 8** to the Applicant's Response.

In order to deliver 40GW of offshore wind by 2030, and at least 75GW by 2050 (as per the Committee on Climate Change's recommendation) to meet the UK's long-term net zero commitments, the UK needs to urgently deploy significant volumes of large-scale, low carbon generation. Hornsea Three can deliver in the order of 2.4GW of offshore wind in the 2020s.

The Applicant is confident, should the Secretary of State conclude an AEOI, that the HRA and MCZ Derogation Cases submitted provides the necessary information to support a clear and overriding case for Hornsea Three.

#### Consultation Deliverables

Submitted with this letter via the Planning Inspectorates project portal, in response to the Consultation, the Applicant has provided the following:

- Applicant's Summary Overview
- Appendix 1: Shadow HRA Derogation Case and supporting Annexes:
  - Annex A: Annex A: Case Law, Guidance & Previous Decisions on Alternative Solutions;
  - Annex B: IROPI Law and Policy Update;
  - Annex C: Statement of Need - Planning Act 2008; and
  - Annex D: IROPI Case Studies.
- Appendix 2: Compensatory Measures:
  - Annex A: Supplementary advice on the Conservation Objectives for kittiwake;
  - Annex B: Subtidal Sandbanks Compensation Measures Options Screening;
  - Annex C: Flamborough & Filey Coast SPA Compensatory Measures Options Screening;
- Appendix 2A: Sandbanks Compensation Strategy
- Appendix 2B: Kittiwake Compensation Strategy
- Appendix 3: Marine Conservation Zones: MCZ Derogation Case
- Appendix 3A: Cromer Shoal Chalk Beds MCZ In Principle MEEB Plan

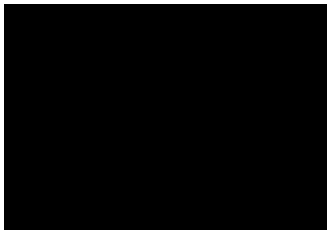
- Appendix 4: Post Examination Mitigation and Project Envelope Modifications:
  - Annex A: Consequence of Change
  - Annex B: Revised Ornithological Mitigation Scenario
  - Annex C: Cable Protection Assessment for Marine Protected Areas
  - Annex D: 2018/2019 Cable Engineering Site Specific Survey - Data Overview
- Appendix 5: Updated MCZ Assessment
- Appendix 6: (Updated) Outline Cable Specification and Installation Plan
- Appendix 7: (Updated) In-principle Hornsea Three Southern North Sea Special Area of Conservation Site Integrity Plan
- Appendix 8: Record of Consultation
- Appendix 9: Draft DCO (Track changed)
- Appendix 10: Draft DCO Clean
- Appendix 11: Draft DCO Schedule of Changes
- Appendix 12: Draft DCO Standard Instrument Template (to follow on Monday 17.02.2020)
- Appendix 13: Markham's Triangle Exclusion Zone Plan
- Appendix 14: Supporting Reference Material to Appendix 1, Annex C: Statement of Need

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All files have been uploaded to the Planning Inspectorate's shared folder "Hornsea Project Three Wind Farm Submissions folder" on 14.02.2020. Hard copies of the Applicant's Response to the Secretary of State can be issued on request.

The Applicant would be grateful if you could please acknowledge safe receipt of this Response. If we can be of any further assistance, please do not hesitate to contact us.

Yours faithfully



Andrew Guyton

Hornsea Project Three Consents Manager  
Hornsea Project Three Offshore Wind Farm

cc. Matthew Wright, Managing Director, Ørsted UK  
Peder Reinewald Hansen, Programme Director, Hornsea 3  
Benj Sykes, Head of Market Development, Consenting and External Affairs