

Norfolk Boreas Offshore Wind Farm

Applicant's Response to

Rule 6 Letter and Cover

Letter for Annex F

documents

Applicant: Norfolk Boreas Limited
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4 November 2019

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Our ref:
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Your ref:
EN010087

Dear Sirs

Norfolk Boreas Limited
Development Consent Order (DCO) application for Norfolk Boreas Offshore Wind Farm
Application Ref: EN010087

Response to Rule 6 Letter and Cover Letter for Annex F documents

1. Introduction

- 1.1 In advance of the Preliminary Meeting in respect of the application for the Norfolk Boreas Offshore Wind Farm (the **Project**), the intention of this letter and its attachments is for Norfolk Boreas Limited (the **Applicant**) to provide a brief update on the progress of the Application since submission. This letter addresses a number of matters raised in the Examining Authority's (**ExA**) notice of the Preliminary Meeting dated 11 October 2019 (the **Rule 6 Letter**), to be discussed further at the Preliminary Meeting if necessary.
- 1.2 In addition, the Applicant is pleased to enclose with this submission the following documents in response to Annex F of the Rule 6 Letter:
 - 1.2.1 Comments on Relevant Representations;
 - 1.2.2 Statements of Common Ground (**SoCG**) with the Environment Agency, Marine Management Organisation (**MMO**), Natural England, the Royal Society for the Protection of Birds (**the RSPB**), and The Wildlife Trusts;
 - 1.2.3 The draft Development Consent Order (in Clean and Tracked Change);
 - 1.2.4 The Schedule of Changes to the draft Development Consent Order;
 - 1.2.5 The Explanatory Memorandum (in Clean and Tracked Change); and
 - 1.2.6 The Applicant's Guide to the Application.

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2. Project Progress Update

2.1 Progress on the Application since submission is detailed below.

Updated Documents and Outline Plans

2.2 As may be expected with a project of this nature, as a result of continued engagement with stakeholders and following on from the Norfolk Vanguard examination, the Applicant has made updates to a number of documents submitted with the Application. The majority of these changes have been agreed with stakeholders and/or arise out of the final positions from the Norfolk Vanguard examination. The Applicant therefore invites the ExA to timetable a deadline for submission of the following documents (and the Applicant would suggest providing these for the proposed Deadline 1 (Monday 25 November 2019)):

- 2.2.1 Works Plans (Onshore) (document reference 2.4 / APP-010) to reflect traffic assessments and consultation with Norfolk County Council in relation to adding the A1067 to the list of trenchless crossings.
- 2.2.2 Outline Code of Construction Practice (document reference 8.1 / APP-692) including amendments reflecting the revised draft DCO to add Natural England as a consultee for various stages of the final CoCP, and other minor updates as agreed following engagement with stakeholders.
- 2.2.3 Outline Landscape and Ecological Management Strategy (document reference 8.7 / APP-698) including updates to the mitigation measures within the Broadland Special Protection Area and Ramsar site, as agreed with Natural England.
- 2.2.4 Outline Traffic Management Plan (document reference 8.8 / APP-699) including revised highway mitigation schemes at B1145, Cawston and The Street, Oulton; agreement that HGVs will avoid Horsford Village; and revised HGV caps as a result of engagement with relevant planning authorities.
- 2.2.5 Outline Offshore Operations and Maintenance Plan (document reference 8.11 / APP-702) including revisions to cable protection figures as a result of the reduction in cable protection to 5% in the Haisborough Hammond and Winterton Special Area of Conservation (HHW SAC).
- 2.2.6 Outline Scour Protection and Cable Protection Plan (document reference 8.16 / APP-707) including revisions to cable protection figures as a result of the reduction in cable protection to 5% in the HHW SAC.
- 2.2.7 Outline Norfolk Boreas Haisborough Hammond and Winterton Special Area of Conservation Site Integrity Plan (document reference 8.20 / APP-711) including revisions to cable protection figures as a result of the reduction in cable protection to 5% in the HHW SAC.
- 2.2.8 EIA and DCO Reconciliation Document (document reference 6.7 / APP-689) including revisions to cable protection figures as a result of the reduction in cable protection to 5% in the HHW SAC.
- 2.2.9 Offshore In Principle Monitoring Plan (document reference 8.12 / APP-703) including revisions to offshore parameters to, for example, reflect an increase in turbine spacing and updates to reflect agreed positions at Norfolk Vanguard Deadline 9.

The Applicant anticipates that these documents, as well as the other outline plans, will also require updating throughout the course of Examination as matters progress with stakeholders. A submission of updated application documents towards the end of the Examination is therefore considered appropriate to allow any other changes resulting from the examination of the application to be addressed concurrently.

Landowner negotiations and Statutory Undertakers

- 2.3 Following submission, the Applicant has continued to actively liaise with landowners affected by the Project in an attempt to reach agreement. Discussions with the 100 landowners from whom the Applicant seeks to acquire land and/or rights over land are ongoing. To date a total of 79 (79%) of the affected landowners have signed Heads of Terms (**HoTs**) for an Option Agreement in order to secure the necessary land and rights over their land.
- 2.4 The form of the Option Agreement, Deed of Easement, and Lease have now been agreed with the solicitors acting on behalf of the Landowner Interest Group (LIG) and the Applicant is working towards completing these documents with all landowners who have signed HoTs.
- 2.5 The Applicant is continuing to engage with those parties who have not yet signed HoTs and remains hopeful that further HoTs will be signed in the near future.
- 2.6 The National Trust's objection to the Norfolk Vanguard project was withdrawn on 25 September 2019 and it is hoped that the National Trust will be in a similar position to withdraw their objection to the Norfolk Boreas project shortly.
- 2.7 The Applicant is also liaising with various statutory undertakers including Anglian Water, National Grid, Cadent Gas, UK Power Networks, Network Rail, and the Environment Agency in respect of Protective Provisions for the Project. Anglian Water, Norfolk Vanguard Limited, and Orsted Hornsea Project Three (UK) Ltd have indicated that they are content to use the Protective Provisions as currently drafted and included in Schedule 17 of the dDCO. It is anticipated that Protective Provisions for the remaining statutory undertakers will be agreed in a similar, if not identical form, to those agreed for Norfolk Vanguard.

3. Comments on the Rule 6 Letter

Statements of Common Ground

- 3.1 Since acceptance of the Application on 4 July 2019, the Applicant has been working towards producing a number of Statements of Common Ground (**SoCG**) with statutory and non-statutory consultees in relation to the Project. The ExA have requested a number of the SoCGs to be submitted on 4 November 2019. To assist the ExA, the Applicant has produced a more detailed status update and commentary on each of the SoCGs proposed at Schedule 1 to this letter.
- 3.2 Although the Applicant will of course endeavour to meet the deadlines imposed in relation to submission of the SoCGs, the ability to do so will also depend on active engagement from the relevant bodies.

Timetable for Examination

- 3.3 The Applicant has the following comments on the ExA's timetable:
- 3.3.1 **Updated documents** – as set out in section 2.2 above, the Applicant requests the opportunity to submit updated documents to the ExA during the examination. The Applicant suggests that these documents can be supplied at Deadline 1.
- 3.3.2 **January hearings and ASI (28/01/20 – 31/01/20)** – whilst the Applicant recognises that these dates are yet to be confirmed, the Applicant is mindful of the length of time (approximately 6 weeks) between Deadline 3 and the date reserved for these hearings. To the extent possible, the Applicant therefore considers that it would be beneficial to bring these hearings forward by one week to commence on Tuesday 21 January 2020. As explained further below, the Applicant believes that to do so would also assist with other elements of the timetable.

- 3.3.3 **Deadline 4 (Wednesday 5 February 2020) and Deadline 7 (Wednesday 25 March 2020)** – these deadlines relate to the submission of post-hearing documents including written submissions of oral cases, an updated draft DCO, and any other information and/or actions requested by the ExA. On the assumption that hearings are held up to and including the Friday preceding these Deadlines, the Applicant will only have two clear working days (on the Monday and Tuesday) before documents must be submitted on the Wednesday. The Applicant wishes to ensure that sufficient time is programmed to enable full and comprehensive documentation to be submitted to the ExA, and is concerned that two clear days is insufficient time to do so. It may be appropriate to bring forward the hearings to accommodate this, or alternatively to slightly delay post hearing submissions. In any event, notification by the ExA of further hearings (see Row 9 and Row 16 of the draft timetable) will be required well in advance of the hearing dates to allow sufficient lead-in time for publication of notices, which will enable 21 days' notice of the hearings to be given. As the timetable currently stands, this could be a particular issue for the hearings to be notified on 31 December (see Row 9), given the Bank Holiday for New Years' Day. If at all possible, an earlier indication of the further hearings to be held at the end of January would therefore be much appreciated (and would of course be necessary should those hearings be brought forward).
- 3.3.4 **Deadline 5 (Wednesday 4 March 2020) and Deadline 6 (Friday 13 March 2020)** – the Applicant is mindful that there is currently only one working day scheduled between Deadline 6 and the March hearings, which are set to commence on Tuesday 17 March 2020. A number of interested parties will be travelling to the hearings on this day. Therefore, in order to allow sufficient opportunity for the Applicant and stakeholders to review Deadline 6 submissions in advance of the hearings, the Applicant would kindly request that Deadline 5 and 6, respectively, are brought forward by one week so that Deadline 5 would be due on Wednesday 26 February 2020 and Deadline 6 would be due on Friday 6 March 2020. The Applicant considers that this still allows sufficient opportunity for detailed responses to the ExA's Further Written Questions, due to be published on 12 February 2020.
- 3.3.5 **Comments on the draft DCO** – the Applicant would welcome the ExA's comments on the Applicant's draft DCO (perhaps by way of a Schedule of Changes); the Applicant considers that Wednesday 15 April 2020, alongside any Rule 17 request, might be an appropriate opportunity for the ExA to provide any comments.
- 3.3.6 **Hornsea Project Three** – The Applicant is aware that the Secretary of State's decision on the Hornsea Project Three application is expected on or before 31 March 2020. It may therefore assist the ExA to programme into the timetable an opportunity for interested parties to comment on the implications of any such decision for the Norfolk Boreas project. We note that a Rule 17 request may be issued on 15 April 2020, which could be used for this purpose.
- 3.3.7 **Deadline 9** – the Applicant recognises that Deadline 9 is the final opportunity to submit agreed form documentation together with updated documents such as the Final Draft DCO and any final outline/control plans. In order to capture the most up to date picture and maximise the opportunity for agreement with stakeholders, the Applicant therefore considers that it might be beneficial to set this deadline towards the very end of the Examination and for it to fall on, for example, Friday 8 May 2020.
- 3.4 In addition, whilst the Applicant recognises that the Planning Inspectorate will publish the submissions from each deadline and/or written questions as soon as possible, in view of (in some instances) the very short timeframes between deadlines, it will be essential for the Applicant to have sight of these documents on the day immediately following the timetabled Deadline in order to meet the subsequent Deadlines.
- 3.5 In relation to entry 5 at Annex C of the timetable, for issue by the ExA of the Compulsory Acquisition (CA) Schedule on Tuesday 19 November 2019, in the interests of consistency the Applicant's preference (if the ExA were minded to agree) would be to utilise the same format of

CA Schedule that was used on the Norfolk Vanguard project. The Applicant has included an example of this at Schedule 4.

- 3.6 The Applicant would also be grateful if the Examining Authority is able to provide an early indication of the precise nature of the Issue Specific Hearings (**ISHs**) in order for the Applicant, and stakeholders, to secure the availability of appropriate experts for the respective hearings. If possible, the Applicant would welcome further clarification on the topics to be considered at these ISHs when the ExA issues the timetable for the Examination in accordance with Rule 8 of the Infrastructure Planning (Examination Procedure) Rules 2010.

Principal issues

- 3.7 The Applicant notes the ExA's initial assessment of principal issues. As the ExA will be aware, the key issues for the Norfolk Boreas examination may be affected by the decision of the Secretary of State (SoS) on whether or not to grant development consent for the Norfolk Vanguard Offshore Wind Farm, the sister project to Norfolk Boreas. This is because there are a number of ways in which Norfolk Boreas and Norfolk Vanguard interact and overlap, as set out in application document 3.4 Inter-relationship Report: Norfolk Boreas and Norfolk Vanguard (APP-023).
- 3.8 Firstly, should both projects proceed to construction (Scenario 1) the planned co-location of infrastructure would result in Norfolk Boreas sharing a grid connection location and also much of the offshore and onshore cable corridors with Norfolk Vanguard. Secondly, in Scenario 1, certain enabling works for Norfolk Boreas will be provided for and carried out pursuant to the Norfolk Vanguard DCO. This is the preferred option and considered to be the most likely. The possibility that Norfolk Vanguard may not proceed to construction has also been considered and the ability for Norfolk Boreas to be consented as an independent project is provided for within the Norfolk Boreas DCO (Scenario 2). However, many of the issues relevant to the construction and operation of Norfolk Vanguard would equally apply for the construction and operation of Norfolk Boreas under Scenario 2.
- 3.9 The Secretary of State's decision on whether to grant development consent for Norfolk Vanguard is due to be issued no later than 10 December 2019. In the event that development consent is granted, this could in the Applicant's view have potential implications for the examination of the Norfolk Boreas DCO application as it would involve acceptance by the Secretary of State of:
- 3.9.1 the proposed location, method of construction, mitigation measures and cumulative impacts of the main Norfolk Boreas offshore cable corridor between Norfolk Vanguard East and the coast at Happisburgh;
 - 3.9.2 the proposed location, method of construction, mitigation measures and cumulative impacts of the Norfolk Boreas onshore landfall at Happisburgh;
 - 3.9.3 the proposed location, method of construction, and mitigation measures of the Norfolk Boreas onshore cable corridor between Happisburgh and Necton;
 - 3.9.4 the proposed location (site selection) of the onshore project substation, and the method of construction and mitigation measures of the access from the A47 to the onshore project substation, to the north-east of Necton; and
 - 3.9.5 the drafting of a DCO and accompanying certified documents for construction and operation of Norfolk Vanguard; Norfolk Boreas would then seek as far as possible to have consistent wording in the Norfolk Boreas DCO and accompanying certified documents.
- 3.10 Those aspects of the Norfolk Boreas DCO application which contain Norfolk Boreas location specific measures relate to the following:
- 3.10.1 the construction and operation of the Norfolk Boreas offshore array;

- 3.10.2 the construction and operation of the "spur" which branches off from the offshore cable corridor to the south-western part of the Norfolk Boreas site within the eastern end of the offshore cable corridor;
 - 3.10.3 the project interconnector to (potentially) connect Norfolk Boreas offshore electrical platforms with Norfolk Vanguard offshore electrical platforms;
 - 3.10.4 a separate landfall compound for Norfolk Boreas to facilitate duct installation and associated transmission pit;
 - 3.10.5 cumulative effects related to Norfolk Boreas including related HRA implications;
 - 3.10.6 landscape mitigation planting for the Norfolk Boreas onshore substation;
 - 3.10.7 construction and operation of the Norfolk Boreas onshore substation; and
 - 3.10.8 the easterly extension of the Necton National Grid substation.
- 3.11 In the Applicant's view, if the Secretary of State grants development consent for Norfolk Vanguard on or by 10 December 2019, then the Applicant considers that it might be prudent for the Applicant and stakeholders to focus on those aspects of the Norfolk Boreas DCO application which are specific to the Norfolk Boreas application and ensure that, as far as possible, the wording of the Norfolk Boreas DCO and accompanying certified documents remains consistent with the wording for Norfolk Vanguard.
- 3.12 In the meantime, and in order to facilitate the ExA's consideration of the principal issues as currently identified, the Applicant includes at Schedule 2 a list of the issues and where they are dealt with in the Environmental Statement, application documents, or otherwise.

List of proposed attendees at the Preliminary Meeting and Issue Specific Hearings

- 3.13 The Applicant will attend the Preliminary Meeting and proposes to address the ExA on the matters set out in this letter. The list of proposed attendees on behalf of the Applicant is enclosed at Schedule 3.
- 3.14 The Applicant will also be attending the hearings listed at Annex D of the Rule 6 letter and, following receipt of the agendas, the Applicant will produce a list of proposed speakers and present this to the ExA at the start of the relevant hearing.

Yours faithfully

Womble Bond Dickinson (UK) LLP

SCHEDULE 1

Status of Statements of Common Ground (as at 4 November 2019)

1. Introduction

Purpose

- 1.1 The Applicant submitted the application for development consent for the Project on 11 June 2019. The Planning Inspectorate, on behalf of the Secretary of State, accepted the application on 4 July 2019. The Applicant has subsequently sought to take a proactive approach with a number of key statutory bodies, to take advantage of the Statement of Common Ground (**SoCG**) process in advance of the Preliminary Meeting.
- 1.2 During the pre-examination phase the Applicant has engaged with a number of key statutory and non-statutory parties with a view to reaching common ground on outstanding issues.

General SoCG status

- 1.3 The table below reflects the list of SoCGs requested by the ExA in the Rule 6 Letter, as well as additional SoCGs proposed to be submitted by the Applicant in order to assist the ExA further. The Applicant has highlighted the progress of these SoCGs in the table below.

2. Individual SoCG status

SoCGs requested for 4 November 2019	Status
Environment Agency	Reviewed by both parties and submitted on 4 November 2019
Marine Management Organisation	Reviewed by both parties and submitted on 4 November 2019
Natural England	Reviewed by both parties and submitted on 4 November 2019
The Royal Society for the Protection of Birds (the RSPB)	Reviewed by both parties and submitted on 4 November 2019
The Wildlife Trust	Reviewed by both parties and submitted on 4 November 2019
SoCGs to be submitted at Deadline 2	Status
Eastern Inshore Fisheries Conservation Agency	Draft issued to the stakeholder for review, discussions ongoing
Highways England	Draft issued to the stakeholder for review, discussions ongoing
Historic England	Draft issued to the stakeholder for review, discussions ongoing
Maritime and Coastguard Authority (MCA)	Draft issued to the stakeholder for review, discussions ongoing
National Federation of Fishermen's	Applicant in discussions with the stakeholder in

SoCGs requested for 4 November 2019	Status
Organisations (NFFO) and VisNed	relation to the structure for the SoCG
National Farmers Union (NFU)	Draft issued to the stakeholder for review, discussions ongoing
NATS	Draft in preparation by the Applicant
Orsted Hornsea Project Three	Draft in preparation by the Applicant
Trinity House	Draft issued to the stakeholder for review, discussions ongoing
Whale and Dolphin Conservation (WDC)	Draft issued to the stakeholder for review, and SoCG agreed for submission at Deadline 2.
Anglian Water	Draft issued to the stakeholder for review, discussions ongoing
Breckland Council	Draft issued to the stakeholder for review, discussions ongoing
Broadland District Council	Draft issued to the stakeholder for review, discussions ongoing
Chamber of Shipping	Draft issued to the stakeholder for review, discussions ongoing
North Norfolk District Council	Draft issued to the stakeholder for review, discussions ongoing
Norfolk County Council	Draft issued to the stakeholder for review, discussions ongoing
Royal Yachting Association	Draft issued to the stakeholder for review, discussions ongoing

SCHEDULE 2

Initial Response to Assessment of Principal Issues

In order to assist the ExA in considering the principal issues the Applicant has, at the outset, prepared a table to cross-reference where the issue is initially addressed in the Application.

Issue Topic	ExA Comments	Applicant's Initial Response
Biodiversity, Biological Environment and Ecology	i. Onshore effects on protected flora and fauna and designated sites.	Onshore effects on protected flora and fauna and designated sites have been assessed in Environmental Statement (ES) Chapter 22 Onshore Ecology (document 6.1.22, APP-235), mitigation measures are also outlined in the Outline Landscape and Ecological Management Strategy (OLEMS) (document 8.7, APP-698) and Outline Code of Construction Practice (OCoCP) (document 8.1, APP-692).
	i. Marine biodiversity.	Effects on marine ecology have been assessed in the offshore ES Chapters 8 to 12 (document 6.1, APP-221-225). Mitigation measures are also outlined in: 8.11 Offshore Operations and Maintenance Plan (APP-702), 8.12 Offshore In Principle Monitoring Plan (APP-703), 8.13 Draft Marine Mammal Mitigation Protocol (APP-704), 8.14 Outline Project Environmental Management Plan (APP-705), 8.16 Outline Scour Protection and Cable Protection Plan (APP-707), 8.17 In Principle Norfolk Boreas Southern North Sea Special Area of Conservation (SAC) Site Integrity Plan (APP-708), and 8.20 Outline Norfolk Boreas Haisborough, Hammond and Winterton Special Area of Conservation Site Integrity Plan (APP-711).
	ii. Effects on marine mammals during construction, operation and decommissioning, including noise, collision risk, changes in food sources, barrier and seasonal/timing effects.	Effects on marine mammals have been assessed in the offshore ES Chapters 12 Marine Mammals (document 6.1.12, APP-225). Potential impacts during construction, operation and decommissioning including noise, collision risk, changes in food sources, barrier and seasonal/timing are assessed in section 12.7. Indirect impact of EMF on potential marine mammal prey is also discussed in this section with reference to ES Chapter 11 Fish and Shellfish Ecology (document 6.1.11, APP-224). Mitigation measures with respect to effects on marine mammals from piling are outlined in document 8.13 Draft Marine Mammal Mitigation Protocol (APP-704).
	iii. Effects on fish.	Effects on fish have been assessed in the ES Chapter 11 Fish and Shellfish Ecology (document 6.1.11, APP-224).

Issue Topic	ExA Comments	Applicant's Initial Response
	iv. Intertidal habitat effects between high tide and low tide marks / subtidal effects below low tide mark.	Impacts on subtidal Benthic Ecology are assessed in ES Chapter 10 Benthic and Intertidal Ecology (document 6.1.10, APP-223). Within this chapter intertidal effects are screened out as the Applicant has committed to a long HDD which would exit beyond the intertidal area.
Marine and Coastal Processes	i. Coastal erosion effects.	Coastal erosion effects are assessed in ES Chapter 8 Marine Geology, Oceanography and Physical Processes (document 6.1.8, APP-221). Further information can be found in ES Appendix 4.5 Norfolk Vanguard and Norfolk Boreas Coastal Erosion Study (document 6.3.4.5, APP-541).
Compulsory Acquisition	ii. Justification for compulsory acquisition and other powers.	These issues are addressed in the Statement of Reasons (document reference 4.1, APP-024) and the Funding Statement (document reference 4.2, APP-025). The Applicant will also address any issues at the Compulsory Acquisition Hearings.
Cumulative Effects of other proposals	i. Cumulative effects. ii. Phasing.	Cumulative effects of other proposals offshore have been assessed in ES Chapters 8 to 18 (document 6.1.8 to 6.1.18, APP-221 to APP-223) and summarised in ES Chapter 32 Offshore Cumulative and Transboundary Impacts (document 6.1.32, APP-245). Cumulative effects of other proposals onshore have been assessed in ES Chapters 9 to 31 (document 6.1.19 to 6.1.30, APP-232 to APP-244), and summarised in ES Chapter 33 Onshore Cumulative Impacts (document 6.1.33, APP-246).
Fishing	i. Construction, operation and decommissioning phase effects and mitigation measures. This to include temporal and seasonal effects, from offshore generating stations, cable arrays and the export cable corridor on fishing. ii. Justification for safety zones and cable working zones during construction, operation and decommissioning.	Effects on commercial fisheries have been assessed in ES Chapters 14 Commercial Fisheries (document 6.1.14, APP-227). Mitigation measures are also outlined in the Outline Fisheries Liaison and Co-Existence Plan document 8.19 (APP-710).
Grid Connection	i. Site selection. ii. Viability of connection and progress with other	Information on site selection, including the identification of the National Grid Connection Point can be found in ES Chapter 4 Site Selection and Assessment of Alternatives

Issue Topic	ExA Comments	Applicant's Initial Response
	<p>licences.</p> <p>iii. Effects on other transmission lines.</p>	<p>(document 6.1.4, APP-217).</p> <p>Appendix 4.3 of the Environmental Statement also includes an explanation of the approach to selecting a grid connection (document 6.3.4.3, APP-539 - Strategic approach to selecting a grid connection point).</p>
HRA	<p>i. Marine mammals.</p>	<p>Document 5.3 (APP-201) Information to Support Habitats Regulations Assessment (HRA) provides information pertaining to the HRA.</p> <p>Further information on the impact assessment for marine mammals can be found in ES Chapters 12 Marine Mammals (document 6.1.12, APP-225). Mitigation measures are outlined in documents 8.17 In Principle Norfolk Boreas Southern North Sea Special Area of Conservation (SAC) Site Integrity Plan (APP-708), and 8.13 Draft Marine Mammal Mitigation Protocol (APP-704).</p>
	<p>ii. Offshore ornithology; effects on birds including loss or change of habitats, collision risk, barrier and seasonal/timing effects and disturbance during construction, operation and decommissioning</p>	<p>Document 5.3 (APP-201) Information to Support Habitats Regulations Assessment (HRA) provides information pertaining to the HRA.</p> <p>Further information on the impact assessment for offshore ornithology can be found in ES Chapter 13 Offshore Ornithology (document 6.1.3, APP-226).</p>
	<p>iii. Sandbank and Reef structures.</p>	<p>Document 5.3 (APP-201) Information to Support Habitats Regulations Assessment (HRA) provides information pertaining to the HRA.</p> <p>Further information on the impact assessment of Sandbank and Reef Structures can be found in ES Chapter 8 Marine Geology, Oceanography and Physical Processes (document 6.1.8, APP-221) and ES Chapter 10 Benthic and Intertidal Ecology (document 6.10, APP-223). Mitigation measures are outlined in documents 8.11 Offshore Operations and Maintenance Plan (APP-702), 8.12 Offshore In Principle Monitoring Plan (APP-703), 8.14 Outline Project Environmental Management Plan (APP-705), 8.16 Outline Scour Protection and Cable Protection Plan (APP-707), and 8.20 Outline Norfolk Boreas Haisborough, Hammond and Winterton Special Area of Conservation Site Integrity Plan (APP-711).</p>
	<p>iv. Potential effects of drilling breakout on designated sites and species.</p>	<p>Document 5.3 (APP-201) Information to Support Habitats Regulations Assessment (HRA) provides information pertaining to the HRA.</p> <p>Information on potential effects on designated sites and species is discussed in ES Chapter 22</p>

Issue Topic	ExA Comments	Applicant's Initial Response
	v. In-combination effects.	<p>Onshore Ecology (document 6.1.22, APP-235) and ES Chapter 20 Water Resources and Flood Risk (document 6.1.20, APP-233). Mitigation measures are also outlined in the OCoCP (document 8.1, APP-692).</p> <p>Document 5.3 (APP-201) Information to Support Habitats Regulations Assessment (HRA) provides information pertaining to the HRA.</p> <p>In combination-effects have been assessed in the Information to Support Habitats Regulations Assessment (HRA) (document 5.3, APP-201).</p>
Landscape and Visual Effects	<p>i. Effect on landscape character and views.</p> <p>ii. Landscape and visual methodology.</p> <p>iii. Justification for landfall and onshore substation locations.</p> <p>iv. Cable corridor.</p> <p>v. Good design.</p>	<p>Landscape and Visual effects have been assessed in ES Chapter 29 Landscape and Visualisation (document 6.1.29, APP-242), mitigation measures are also outlined in the Outline Landscape and Ecological Management Strategy (document 8.7, APP-698).</p> <p>Information on site selection can be found in ES Chapter 4 Site Selection and Assessment of Alternatives (document 6.1.4, APP-217).</p> <p>Information on the design of the project is provided the Design and Access Statement (document 8.3 APP-694).</p>
Onshore Construction Effects	<p>i. Effect of noise and vibration.</p> <p>ii. Effects on human health.</p> <p>iii. Effects from dust and exhaust emissions.</p>	<p>Onshore construction effects have been assessed in the onshore ES Chapters 19 – 31 (document 6.1.19 to 6.1.30, APP-232 to APP-244).</p> <p>Effects of noise and vibration have been assessed in ES Chapter 25 (document 6.1.25, APP-238); effects on human health have been assessed in ES Chapter 27 Human Health (document 6.1.27, APP-240) and effects from dust and exhaust emissions have been assessed in both ES Chapter 26 Air Quality (document 6.1.26, APP-239) and ES Chapter 22 Onshore Ecology (document 6.1.22, APP-235).</p> <p>Further mitigation measures for onshore construction effects on these topics are outlined in the OCoCP (document 8.1, APP-692) and the OLEMS (document 8.7, APP-698).</p>
Water Resources	<p>i. Effect on water resources and crossings of rivers, streams, canals and ditches, including measures to prevent pollution of aquifers.</p> <p>ii. Flooding and flood</p>	<p>Impacts on Water Resources has been assessed in ES Chapter 20 Water Resources and Flood Risk (document 6.1.20, APP-233).</p> <p>Further information on flood risk can be found in ES Appendix 20.1 Flood Risk Assessment (document 6.3.20.1, APP-586). Information on impacts on drainage and irrigation relating to agriculture can be found ES Chapter 21 Land</p>

Issue Topic	ExA Comments	Applicant's Initial Response
	<p>prevention measures.</p> <p>iii. Drainage and irrigation.</p>	<p>Use and Agricultures (document 6.1.21, APP-234).</p> <p>Further mitigation measures relating to water resources during construction are outlined in the OCoCP (document 8.1, APP-692).</p>
Navigation and shipping	<p>i. Baseline assessment for navigational risk.</p> <p>ii. Endangerment, obstruction and interference with shipping during construction, operation and decommissioning phases, including navigational effects of turbine arrays.</p> <p>iii. Effect on radar and search and rescue measures.</p>	<p>Impacts on navigation and shipping have been assessed in ES Chapter 15 Shipping and Navigation (document 6.1.15, APP-228), and further information is provided in ES Appendix 15.1 Navigation Risk Assessment (document 6.3.15.1, APP-569).</p> <p>The design plan and Development Principles are secured within Condition 14(1)(a) (Schedule 9-10) of the dDCO.</p> <p>Impacts on navigation and Radar have been assessed in ES Chapter 16 Aviation and Radar (document 6.1.6, APP-229).</p>
Socio-economic Effects	<p>i. Effects on agriculture, fishing, tourism and recreation.</p> <p>ii. Effects on jobs and skills.</p>	<p>Impacts on socio-economics have been assessed in ES Chapter 31 Socio-economics (document 6.1.31, APP-244) and information pertaining to skills and employment can be found in the Outline Skills and Employment Strategy (document 8.22, APP-713).</p> <p>The strategy to facilitate co-existence between the Applicant and commercial fishing interests, together with an acknowledgment of when disruption payments might be appropriate, is covered in the Outline Fisheries Liaison and Co-Existence Plan, document 8.19 (APP-710).</p>
Traffic and Transportation	<p>i. Effects from traffic during the construction phase.</p> <p>ii. Effects on public rights of way.</p> <p>iii. Effects on non-motorised users.</p>	<p>Impacts from construction traffic have been assessed in ES Chapter 24 Traffic and Transport (document 6.1.24, APP-237). Mitigation measures are also outlined in the Outline Traffic Management Plan (document 8.1, APP-699), the Outline Travel plan (document 8.9, APP-699) and the Outline Access Management Plan (document 8.10, APP-700).</p> <p>Impacts on public rights of way and pedestrian amenity also have been assessed in ES Chapter 30 Tourism and Recreation (APP-243) and mitigation measures are also outlined in the Public Rights of Way Strategy (document 8.4, APP-695) and the OCoCP (document 8.1, APP-692).</p>

SCHEDULE 3

List of Applicant Attendees at Preliminary Meeting

1. John Houghton, Senior Counsel – Womble Bond Dickinson LLP
2. Victoria Redman, Partner – Womble Bond Dickinson LLP
3. Josh Taylor, Associate – Womble Bond Dickinson LLP
4. Graham Davey, Senior Development Manager – Norfolk Boreas Limited
5. Jake Laws, Consents Manager – Norfolk Boreas Limited
6. Catrin Jones, Consultation Manager – Norfolk Boreas Limited

SCHEDULE 4

Template Schedule of Compulsory Acquisition

Landowner/Occupier	Parcel Number(s)	Powers Sought	Status of Negotiation
XXXXXXXX	01/01, 01/02, 01/03	Acquisition of permanent rights	<p>HoTs Agreed.</p> <p>Formal Heads of Terms (HoTs) for an option agreement have been agreed and signed by both parties. Discussions are underway between legal teams to agree on the wording of the Option and Deed documentation.</p>
YYYYYYYY	01/04, 01/05, 01/06	Acquisition of permanent rights	<p>HoTs Agreed.</p> <p>Formal Heads of Terms (HoTs) for an option agreement have been agreed and signed by both parties. Discussions are underway between legal teams to agree on the wording of the Option and Deed documentation.</p>
ZZZZZZZZ	01/07, 01/08, 01/09	Acquisition of permanent rights	<p>Formal Heads of Terms (HoTs) for an option agreement have been issued by the Applicant and negotiations are ongoing. The Applicant is confident that the necessary land and rights can be acquired by agreement.</p>