

The Planning Inspectorate
Room 3/13
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Your Ref: EN010087
Date: 3 December 2019

My Ref: 18/01/0091
Tel No.: 01603 223231
Email: john.r.shaw@norfolk.gov.uk

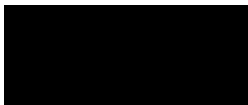
Dear Sir/ Madam

**Application by Norfolk Boreas Limited for the Norfolk Boreas Offshore Windfarm.
The Examining Authority's written questions and requests for information (ExQ1)
Issued on 19 November 2019**

I refer to your requests for further information or written comments Issued 19 November 2019.

Please find attached answers to the highway elements of your request from Norfolk County Council (NCC) in its capacity as Local Highway Authority (LHA).

Yours sincerely



Senior Engineer - Highways Development Manager
for Executive Director for Community and Environmental Services

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
1. Archaeology and Heritage Assets		
1.0 Onshore heritage assets		
Q1.2.3	<p>Listed buildings in Cawston The Applicant has quoted part of your SoCG for Norfolk Vanguard in its response to some RRs which raise matters to do with construction traffic and listed buildings in Cawston.</p> <ol style="list-style-type: none"> 1. Do the "changes" referred to in the SoCG extract include traffic impacts on historic buildings in Cawston? 2. If so, have the "work in progress" amendments arrived at a satisfactory solution? 3. If not, what are the outstanding issues for the listed buildings and conservation area in Cawston? 	<p>1. The proposed "highway intervention scheme" seeks to widen the footway on the northern side of Cawston High Street outside numbers 14 to 18. This is not something the County Council asked for as it makes the resultant road width too narrow. See our closing comments to the Hornsea 3 hearing dated 1 April 2019, copy attached. As indicated within our response – "it may be necessary to omit some of the footway improvements. Whilst the footway at certain points would then remain narrow, nevertheless pedestrians would be protected to some extent by parked cars. This point needs further investigation".</p> <p>Any vibration tests submitted as part the Boreas application need to be based on a narrow footway and not the applicants proposed wider footway - as traffic will be closer to buildings. However, this falls outside of our remit.</p> <p>HGV Traffic entering Cawston from the east will be held to ensure the route is clear before progressing. The space between the holding point and the narrow section of road appears too great and the distance may need to be reduced. Any air quality tests submitted as part the Boreas application need to be carried out at all holding points. However, this falls outside of our remit.</p> <p>NCC pointed out during the Vanguard hearings that we believe there are other environmental impacts to be mitigated by the scheme (e.g. amenity) which are not the jurisdiction of the highway authority.</p>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		<p>2. The applicants have not submitted any further details to us since the closure of the Norfolk Vanguard hearings. At ISH6 to the Vanguard hearing the County Council indicated the following documents were due to be received from Orstead by 3 May 2019: -</p> <ul style="list-style-type: none"> • Topographical Survey • New ATC speed survey • Update of the design through Cawston based on the safety audit and NCC comments • Vehicle traffic through Cawston based on the topographical survey • Update of the safety audit • Update of the Caswton report. <p>None of the above were ever received.</p> <p>Apart from indicating within the Boreas OTMP that street lighting will be included within the "2highway intervention scheme", no information has been submitted since April 2019. Norfolk County Council wish to emphasise we were not consulted upon the inclusion of street lighting. Its provision is against Norfolk County Council Policy and Broadland District Council may also wish to consider the impact installing street lighting would have upon the street scene within the conservation area.</p> <p>3. This is a matter for Broadland District Council to advise you upon.</p>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
4. Cumulative effects of other proposals		
Onshore cumulative effects of other proposals (construction)		
Q.4.1.5	<p>Norfolk County Council’s Relevant Representation [RR-037] states that it has assessed the traffic implications arising from scenarios 1 and 2.</p> <ol style="list-style-type: none"> 1. Have the cumulative traffic implications should the Hornsea Three Offshore Windfarm be granted development consent by the SoS been assessed? If not, why not? 2. If so, what are the conclusions from this assessment? What steps have been taken to ensure consistent approaches to construction traffic management and where are these secured in the dDCO? 	<ol style="list-style-type: none"> 1. Cumulative traffic implications are assessed at Chapter 24 of the applicant’s submission entitled “Traffic and Transport” see section 24.4 therein. 2. Norfolk County Council has raised two outstanding concerns: - <ul style="list-style-type: none"> Firstly - we specifically requested the applicants confirmed cumulative impacts associated with all three wind farm projects utilising the same access route to the compound at Oulton airfield. As indicated at ISH1 to the Boreas hearing - under scenario 1, during the cable pulling stage it is Boreas preferred strategy to deliver cable drums and associated materials directly to the joint locations from the supplier. However, a cable logistics area is now to be provided along Link 68. This did not form part of any discussions between the County Council and the applicant. The applicants refer to a “buffer storage area” but that term has no definition. Our concern is that Hornsea3 are committed to delivering a significant number of cable drums along this route and we do not wish to see a negative cumulative impact. Clarification is required. Secondly (and linked to the above) on 7 February 2019 Norfolk County Council expressed concern at ISH3 to the Vanguard hearing that an open cut trench to the B1149 close Oulton airfield (as mentioned above) would not be suitable as the applicants had not considered cumulative impact from Hornsea 3. This is a concern we maintained throughout the entire hearing process.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		<p>The applicants finally submitted a trenchless crossing report to the County Council on 15 May, which included details of the applicants proposed traffic management measures. The drawings attached to the report lacked detail and accordingly we subsequently asked the applicants to submit swept path drawings to demonstrate that Hornsea 3's vehicles would be able to negotiate the roadworks in safety.</p> <p>Swept path drawings were submitted to us on 3 June and we responded on the 5th June to say the safety zone for the works was shown incorrectly and accordingly our concerns had not been addressed. The swept path drawings did not in any way demonstrate that the traffic management could be designed so that abnormal loads could physically negotiate the roadworks.</p> <p>The applicants position statement for Norfolk Vanguard subsequently indicated the following statements: -</p> <ul style="list-style-type: none"> • The safe working distance of 1.2m could be accommodated in the final design. <u>In response</u>, this is clearly not acceptable. There must be a realistic expectation that a safe method of working is achievable. That expectation was not met. • The proposed road widening (the pink land) could be widened further to the west within the order limits. <u>In response</u> – we fully accepted that but widening to the west is not the problem we identified. The problem lies to the north and south of the pink land and not to the west. • The coned off area could be narrowed from 20m down to 15m. <u>In response</u> – we have not seen any details to show how that would work.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		<ul style="list-style-type: none"> • Speed restrictions could be imposed <u>In response</u> – We advised the applicants (5th June) that whilst this can be reduced with the use of a temporary 30mph speed restriction, it is not so in the case of an excavation exceeding 1.2 metre in depth. • The deep of excavation could be designed to provide additional lateral support and thus ensuring a 0.5m distance of separation would be safe. <u>In response</u> – Construction work and road works carried out on public roads has to comply with Chapter 8 of the Traffic Signs Manual, which is aimed at reducing risk of harm to workers and the public. To comply with Chapter 8, deep excavations need a safe working area of 1.2m and not 0.5m as proposed. • The applicants claimed Norfolk County Council indicated within their position statement to the Norfolk Vanguard hearing that land within the highway boundary, outside the Order limits, would be available to extend the tapers of the road widening if required, depending on the final design. <u>In response</u> – this was simply not true. The position statement said – “if additional land is required outside the pink land, then the applicant needs to demonstrate that they either have control of that land or that it forms part of the public highway.” To date they have not done either of these. <p>In the circumstances, at the end of the Vanguard hearing, the County Council maintained its view that trenchless crossing needs to be employed for the B1149 and that the requirement in the DCO needed to be amended accordingly.</p>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		<p>At ISH1 for the Boreas hearing held on 13 November 2019, the County Council again expressed its concern about the lack of trenchless crossing to the B1149. The applicants indicated they would work with us to update the OTMP and we note the OTMP was indeed updated at deadline 1. However, no discussion took place prior to the applicant's deadline 1 submission.</p> <p>In reality, all the applicants have done for deadline 1 is (i) extend the pink land to the west which we indicated in June would not resolve the problem and (ii) the swept path analysis has been omitted altogether (the very thing we said proves the applicant's proposal does not work). Clearly this approach is unacceptable.</p> <p>Once agreed, the steps to ensure consistent approach will be contained within the Outline Traffic Management Plan which in turn is secured via Requirement 21 of the dDCO.</p> <p>As matters currently stand cumulative impact is not agreed.</p>

ExQ1	Question	Response
Development Consent Order and Deemed Marine Licences		
Q5.1.6	<p>Article 12: Access to works 12(2) confers deemed consent for means of access to works if the relevant planning authority does not notify the undertaker of its decision within 28 days. Are the local planning authorities and other Interested Parties who may be subject</p>	<p>Norfolk County council confirm 28 days is an acceptable time scale to us.</p>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	to this deemed consent time limit content with this arrangement? If not set out why?	
Q5.4.3	Any other requirements? Interested parties are requested to set out any other areas which they consider should be covered by requirements and to provide initial drafting of such additional requirements. In so doing, IPs are advised that all requirements must be precise and enforceable, necessary, relevant to the development and reasonable in all other respects.	The list of trenchless crossings included within R16 needs to be expanded to include the B1149 as the current method of working is not safe. An open cut trench was not considered acceptable by the Highway Authority for Norfolk Vanguard and it remains unacceptable for Norfolk Boreas. NCC do not believe this can be mitigated. See also our detailed comments in response to Q.4.1.5 above.

ExQ1	Question to	Response
Traffic and transportation		
Q14.0.1	Outline Traffic Management Plan (OTMP) The OTMP [APP-699] is the same as that submitted for the Norfolk Vanguard application. Norfolk County Council is asked to confirm if the submitted OTMP [APP-699] is up to date and relevant for the Proposed Development.	The OTMP was updated by the applicants at Deadline 1 but is still not acceptable. As indicated in our response to Q.4.1.5 above, the applicants proposed method of working is not safe. Further clarification is also required in relation to traffic management for the proposed new cable logistics area to be provided along Link 68 which did not form part of the Vanguard submission.
Q14.0.2	Operational traffic impacts ES Chapter 24 [APP-237, section 24.5.1.3, paragraph 75] states that operational traffic impacts are scoped out of the assessment through agreement at the Expert Topic Group (ETG) meeting due to the limited traffic	This is acceptable to us.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question to	Response
	<p>movements required. However, in paragraph 373, the Applicant identifies the potential for adverse road safety impacts from new access points on the highway network. The Applicant explains that the detailed design of each access point would be set out in the AMP, which would be agreed post-consent based on the OAMP (which includes generic designs).</p> <p>Norfolk County Council and Highways England to confirm that they are content with the approach undertaken by the Applicant and that the level of detail in the OAMP is sufficient to inform future approvals. If not, what additional information should be included in the OAMP?</p>	
Q14.0.6	<p>Traffic effects in Cawston and Oulton</p> <p>The RRs from Broadland District Council [RR-028], Cawston Parish Council [RR-016] and Oulton Parish Council [RR-017] raise concerns about the traffic assessment surrounding the villages of Cawston and Oulton. This includes concerns regarding the same access routes to Norfolk Vanguard, the Proposed Development and Hornsea Project Three during potentially the same time frame, and traffic impacts on the B1145 through Cawston.</p> <p>The Applicant's response to the RRs [AS-025, Table 19, row 3] refers to a 'highway intervention scheme' developed by Orsted for the objective of mitigating the construction traffic impacts of Hornsea Three and cumulative</p>	<ol style="list-style-type: none"> 1. The applicants to advise. 2. The applicants to advise. 3. The applicants to submit. 4. Please refer to our detailed comments in response to Q1.2.3 above. The 'highway intervention scheme' did not pass safety audit and no further details have been sent to us since April/May 2019. 5. If a scheme can be agreed – then yes.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question to	Response
	<p>impacts with Norfolk Vanguard and Norfolk Boreas through Cawston.</p> <ol style="list-style-type: none"> 1. The Applicant to confirm if it would adopt the same 'highway intervention scheme' to mitigate the construction traffic impacts through Cawston. If yes, the Applicant to provide details of the 'highway intervention scheme'. 2. How has the impact of the proposed 'highway intervention scheme' been assessed in the ES Chapter 24 [APP-237]? 3. In the response to the RRs [AS-025, Table 19, row 3], you refer to 'the final SoCG (REP9-047) with Norfolk County Council at the close of the Norfolk Vanguard examination'. Submit the final SoCG with NCC for the Norfolk Vanguard Examination. 4. NCC, to provide comments on the 'highway intervention scheme'. List any changes necessary for the Proposed Development, Scenario 1 and Scenario 2. 5. Has the proposed 'highway intervention scheme' been adequately secured through mitigation set out in the ES Chapter 24 [APP-237] and in the dDCO [AS-019]? 6. Broadland District Council, Cawston Parish Council, Oulton Parish Council and Corpusty and Saxthorpe Parish Council to highlight the specific areas of the Applicant's assessment that you have concerns with. Outline what else the Applicant would need to take into account when assessing the effects of traffic in Oulton and Cawston. 	

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question to	Response
Q.14.0.7	<p>Assessment of Link 34 (B1145 from the B1149 Holt Road junction, through Cawston village to the eastern town extents of Reepham)</p> <ol style="list-style-type: none"> 1. Link 34 is assessed as a medium sensitive route [APP-237, paragraph 500]. Justify this classification in light of the highway width, direct frontage development, narrow footways, resident parking, and frequency of use of footways by children and other users. 2. The Proposed Development Scenario 2's HGV third peak in combination with Hornsea Project Three's peak construction HGV traffic is stated as 260 daily movements [APP-237, paragraph 504]. Justify how a 896.5% increase in HGVs on Link 34 is assessed as an impact of moderate adverse significance. 	<ol style="list-style-type: none"> 1. Norfolk County Council does not consider link 34 to be a medium sensitive route. 2. We do not believe the impact to be of moderate adverse significance but rather the impact is considerably greater. It is for this reason we have asked for a "highway intervention scheme". <p>Norfolk County Council believes a suitable access strategy can be produced that mitigates highway impact however, the intervention scheme drawings and proposal before us are very much "work in progress". In short, the scheme needs several changes. As currently submitted the scheme failed to pass safety audit.</p> <p>In addition, as we pointed out several times during the Vanguard hearings, we believe there may be environmental impacts to be mitigated by the scheme (e.g. amenity) which are not the jurisdiction of the highway authority. Our remit is to consider the impact to highway users.</p>
Q14.0.8	<p>Construction traffic route through Cawston</p> <ol style="list-style-type: none"> 1. Were other construction traffic routes considered, that would eliminate the need for construction traffic to go through the settlements of Cawston and Oulton Street? 2. Explain why Link 34 was the preferred option for construction traffic movement. 3. Could or was a haul route within the cable corridor of the Proposed Development from the B1145 (north east of Reepham) to the 	<ol style="list-style-type: none"> 1. The County Council considered all alternative routes and were satisfied that without re-locating/diverting the cable route, this is the only viable option. 2. The alternative routes are far worse in terms of impact to highway use.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question to	Response
	<p>B1149 (north east of Cawston) [APP-462, Map 5 of 9] considered? If not, why not?</p>	<p>3. A haul route was considered but the greatest HGV impact is from the traffic carrying the aggregate needed to construct the cable corridor. Accordingly, the cable corridor cannot be used until it is constructed, but it cannot be constructed without the traffic passing along link 34.</p>
<p>Q.14.0.1 0</p>	<p>The RR from Norfolk County Council [RR-037] states that for Scenario 1, it has no comments other than those made on the Norfolk Vanguard application, and for Scenario 2, it has the same comments made for the Vanguard scheme.</p> <p>Submit all relevant comments and concerns for both Scenario 1 and Scenario 2 into this Examination.</p>	<p>This is covered within our responses to the ExA's questions set out above and will also be summarised within the statement of common ground to be submitted at deadline 2 on 10 December 2019.</p>

From: [Waters, Laura](#)
To: [Norfolk Boreas](#)
Subject: Response To Application Number EN010087 at Norfolk Boreas
Date: 06 December 2019 09:29:31
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[Cumulative Impacts Response.docx](#)
[Socio Economic Effects Response.docx](#)
[Discharging of Conditions and Requirements Response.docx](#)

Your Ref: EN010087

Dear Sir/Madam

**Application by Norfolk Boreas Limited for the Norfolk Boreas Offshore Windfarm.
The Examining Authority's written questions and requests for information (ExQ1)
Issued on 19 November 2019**

I refer to your requests for further information or written comments Issued on 19 November 2019.

Please find attached answers to the cumulative impact assessment, discharging of requirements and conditions and socio-economic effects of your request from Norfolk County Council (NCC).

Regards

Laura Waters

Laura Waters,
Senior Planner MRTPI
Infrastructure Development
Community and Environmental Services
Tel: 01603 638038
County Hall, Norwich, NR1 2DH



Campaign Logo



--

To see our email disclaimer click here <http://www.norfolk.gov.uk/emaildisclaimer>

ExQ1	Question	Question
4. Cumulative effects of other proposals		
1.0 General cumulative effects, including phasing		
	<p><i>Note this section of questions does NOT include those on in-combination effects that are relevant to Habitats Regulations Assessment. Those are dealt with below in the relevant section.</i></p>	
Q4.0.1	<p>Relevant projects for cumulative assessment</p> <ol style="list-style-type: none"> 1. A number of the ES aspect chapters explain that the projects identified for potential cumulative impacts were agreed as part of the PEIR consultation (November 2018). Taking into account the time that has elapsed since the PEIR consultation and the potential for developments that might have cumulative effects to have come forward since this date, IPs are asked to confirm that they are content that all the relevant projects have been included in the cumulative effects assessment. If not, list those projects which you think should be included. 2. Specifically, the ExA notes that extensions to the existing Dudgeon and Sheringham Shoal have been received by the Planning Inspectorate for a scoping opinion. Comments in respect of these projects are specifically requested. 3. The Applicant is invited to comment and to set out how the cumulative effects relating to the proposed extensions to the existing Dudgeon and Sheringham Shoal have been considered, 4. With either proposed option, the Dudgeon and Sheringham Shoal onshore cable would cross the Norfolk Boreas onshore cable. How have these cumulative effects been considered? 	<ol style="list-style-type: none"> 1. Norfolk County Council are content that all relevant projects have been included in the cumulative effect assessment. 2. Attached to this response is the County Councils response to the Dudgeon and Sheringham Shoal scoping opinion to the Planning Inspector.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
5. Development Consent Order and Deemed Marine Licences		
		<i>Interested Parties to note that many of these questions formed the basis of the detailed agenda for the Issue Specific Hearing (ISH) on the DCO held on 13th November 2019 [EV??]. Not all were explored at that ISH. Although questions are mostly directed to the Applicant other Interested Parties are invited to comment if relevant to their case.</i>
5.0 General		
5.0.4	<p>Discharging Requirements and Conditions All discharging authorities are requested to check Schedules in the dDCO for accuracy and provide the ExA with any suggested corrections and amendments.</p>	The County Council are satisfied with the accuracy of the schedules in the draft DCO and have no further comments.
5.7 SCHEDULE 16: PROCEDURE FOR DISCHARGE OF REQUIREMENTS		
5.7.1	<ol style="list-style-type: none"> 1. Views of interested parties are sought in relation to the discharge of requirements as set out in Schedule 16. 2. The Applicant to clarify which the post-consent approving bodies would be for Requirement 16. 	While the County Council in its role as a discharging authority or consultee will do its utmost to meet the timescales set out in Schedule 16. It would like to highlight that, If ,for whatever reason, the deadline for requesting further information is not met and additional is required, the discharging authority would be acting unreasonably in discharging the requirement without that information. In the event that the applicant does not want to supply the further information the only reasonable option open to the discharging authority would be to refuse the application. Is this what was envisaged by the drafting of section 2(4).

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
5. Development Consent Order and Deemed Marine Licences		
5.3 SCHEDULE 1 PART 3: Requirements		
Q.5.3.7	<p>Requirement 20: Code of Construction Practice</p> <ol style="list-style-type: none"> 1. Should contact details of the Agricultural Liaison Officer [APP-692, Appendix B] be added to the list of details to be submitted prior to commencement? 2. Should relevant local authorities approve all pre-commencement site work and preparation and if so, how? 3. Should the OCoCP include details on controlling dust during construction (particularly on parts of the route that are in close proximity to homes and businesses)? 4. Does the effect on private water supply needs to be given further consideration in this requirement? 	No further comments from a skills and employment perspective.

ExQ1	Question	Response
13. Socio-economic effects		
13.0 Skills and Employment Strategy		
Q.13.0.2	<p>Skills and Employment Strategy Scenario 2</p> <ol style="list-style-type: none"> 1. Are you content with the high-level principles and commitments in the Scenario 2 OSES [APP-713]? 2. If not, list and explain concerns. 3. What further detail could be reasonably requested from the Applicant to resolve any concerns during this Examination (if relevant)? 	<ol style="list-style-type: none"> 1. Norfolk County Council are happy with the high level principles of the OSES and have no further comments. Please note in the agreed position between the applicant and Norfolk County Council as set out in the Statement of Common Ground. 2. No further comment from a from a skills and employment perspective.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		3. No further comment from a from a skills and employment perspective.
Q.13.0.3	<p>Supply chain planning ES Chapter 31 Socio-economics [APP-244, Paragraph 138] states that the Applicant is committed to developing a Supply Chain Strategy to promote the use of local supply chain and support services, where applicable.</p> <ol style="list-style-type: none"> 1. When would the Supply Chain Strategy be produced? Where is this secured? 2. Who has already been or would be consulted in the production of the Supply Chain Strategy? <p>The OSES [APP-713, Appendix D] outlines a number of meetings and events with supply chain organisations that were held during the pre-application stage.</p> <ol style="list-style-type: none"> 3. Have the findings of these meetings, particularly those that are relevant to the local businesses, been shared with Norfolk County Council? 4. If so, does Norfolk County Council have any comments? 5. If not, does the Applicant intend to share the findings of these meetings with NCC? If so when? If not, why not? 	<ol style="list-style-type: none"> 1. The Supply Chain Strategy is included within the OSES (Section 8) and is therefore secured through the OSES being a requirement within the draft DCO (requirement 33) and the County Council are happy with this. In regard to timing Norfolk County Council, in line with draft DCO requirement 33 would expect no stage of the onshore transmission works to commence until a skills and employment strategy (which accords with the outline skills and employment strategy) has been submitted to and approved in writing by Norfolk County Council. 2. No further comment from a from a skills and employment perspective. 3. The County Council are satisfied the issue of consultation has been sufficiently covered in the OSES. Norfolk County Council has been engaged with the applicant throughout the process in terms of preparing the OSES and that mechanisms are in place through the draft DCO that maximise the potential opportunities for local businesses. 4. No further comment from a from a skills and employment perspective. 5. No further comment from a from a skills and employment perspective.
13.1 Jobs		
Q.13.1.1	Construction jobs	1. Norfolk County Council is broadly happy with ES Chapter 31 Socio-economics but clearly it is a matter for the applicant to decide

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	<p>ES Chapter 31 Socio-economics [APP-244, table 31.30] sets out the local content of jobs created and supported in each year by onshore construction under Scenario 2.</p> <ol style="list-style-type: none"> 1. Are you content that the jobs can be created and supported each year? 2. How would these local jobs be secured? 	<p>on the level/number of jobs that can be created, which will be on based on technology, scale, timing etc. which are business related factors that are outside the scope and control of Norfolk County Council.</p> <p>2. No further comment from a from a skills and employment perspective.</p>
13.2 Tourism		
Q.13.2.1	<p>Effects on tourism and recreation</p> <p>In light of the significance of tourism to the local economy, particularly tourism along the coast, are you content that the ES Chapter 30 Tourism and Recreation [APP-243] sets out in adequate detail the effects of the Proposed Development and proposed mitigation on the tourism industry and recreational activities?</p>	<p>Norfolk County Council has no comments on this matter and would expect the District Council to lead on local tourism matters.</p>

From: [Albone, James](#)
To: [Norfolk Boreas](#)
Cc: [Waters, Laura](#); [Percival, John](#); [Shaw, John R](#)
Subject: Norfolk Boreas - ExQ1 Norfolk County Council Historic Environment response
Date: 10 December 2019 13:45:13
Attachments: [FirstRoundQuestions NCC Historic environment response.docx](#)

Dear Sir/ Madam

RE: Application by Norfolk Boreas Limited for the Norfolk Boreas Offshore Windfarm: The Examining Authority's written questions and requests for information (ExQ1)

Please find attached our responses to the first round written questions relating to Archaeology and Heritage Assets.

Yours faithfully
James Albone

N.B. I will be leaving Norfolk County Council in January 2020. Please ensure that all correspondence is sent to hep@norfolk.gov.uk

Dr James Albone MCIFA, Acting Historic Environment Team Leader (Strategy & Advice)

Community and Environmental Services

Tel: 01362 869279 | Mobile: 07769 887053

Norfolk County Council Environment Service, Union House, Gressenhall, Dereham NR20 4DR



Campaign Logo



--

To see our email disclaimer click here <http://www.norfolk.gov.uk/emaildisclaimer>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question to	Response
1. Archaeology and Heritage Assets		
1.0 Offshore and intertidal archaeology and cultural heritage		
Q1.0.1	<p>Draft DCO and DML Archaeological WSI in intertidal zone</p> <ol style="list-style-type: none"> 1. Does the dDCO adequately cover archaeological requirements regarding the intertidal zone? (The onshore Archaeological WSI extending to Mean High Water is secured by dDCO Requirement 23.) 2. How is it proposed to secure mitigation measures for the intertidal zone included in the outline offshore Archaeological Written Scheme of Investigation? The DMLs [Schedules 10 and 12 Part 4 Condition 9(1)(h)] secure the offshore Archaeological WSI covering land seaward of Mean LOW Water which therefore excludes the intertidal zone. 3. IPs to confirm they are content with the intertidal zone being excluded from the responsibilities defined via outline Onshore and Offshore Archaeological WSIs; or make suggestions for amendments, additions or deletions as appropriate. 	<ol style="list-style-type: none"> 1. No. At present the archaeological requirements of the intertidal zone (the area between Mean High Water Springs (MHWS) and Mean Low Water Springs (MLWS)) are not specifically addressed in the dDCO. Although the use of long HDD means that there should not be any ground disturbance affecting archaeological deposits in the intertidal zone it would nevertheless be prudent to ensure that that it is included within the requirements of the dDCO and DML to cover any unforeseen works. 2. The outline Offshore Archaeological Written Scheme of Investigation (Document 8.6) makes reference to the archaeology of the intertidal zone (but also states that due to long HDD no archaeological works will be required at that location). Although the archaeology of the intertidal zone has been adequately considered, the DML [Schedule 10 Part 4 Condition 14 (1) (h) and Schedule 12 Part 4 Condition 9 (1) (h)] refers to the required offshore archaeological works as being specifically located seaward of MLWS. The current draft DML condition wording excludes the intertidal zone. We believe that the requirements for offshore archaeological work should extend seaward from MHWS not MLWS to cover the eventuality of any work being carried out in the intertidal zone. 3. No, the intertidal zone needs to be specifically included to cover the eventuality of works being required there. We recommend the following amendment in the DML; the start of the wording of the following conditions [Schedule 10 Part 4 Condition 14 (1) (h) and Schedule 12 Part 4

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question to	Response
		Condition 9 (1) (h)] should be changed from "An archaeological written scheme of investigation in relation to the offshore Order limits seaward of mean low water, ..." to "An archaeological written scheme of investigation in relation to the offshore Order limits seaward of mean high water springs (MHWS), ..."
1.1 Onshore archaeology		
Q1.1.1	Outline Written Scheme of Investigation (WSI) Are you content with the Outline Written Scheme of Investigation (OWSI) [APP-696], as secured in dDCO [AS-019] Requirement 23 in dealing with onshore archaeological matters? If not make suggestions for amendments, additions or deletions.	Yes, we are content that the outline written scheme of investigation for onshore archaeology adequately covers the requirements for onshore archaeological mitigation.
1.2 Onshore heritage assets		
Q1.2.2	Listed buildings in Cawston Further to RRs [RR-018], [RR-019], [RR-105], Additional Submission [AS-038] and the Applicant's response to RRs [AS-024, Table 19, No.3] are you: <ol style="list-style-type: none"> 1. satisfied that construction stage effects on listed buildings in Cawston have been adequately assessed; 2. content with the findings in terms of the significance of any identified impacts upon those assets and their settings and the level of any harm and loss of heritage significance? 	1 & 2. The potential impacts on listed buildings and conservation areas fall outside of the remit of Norfolk County Council and should be commented on by Broadland District Council and Historic England.
Q.1.2.3	Listed buildings in Cawston The Applicant has quoted part of your SoCG for Norfolk Vanguard in its response to some RRs which raise matters to do with construction traffic and listed buildings in Cawston.	1, 2 & 3. As with Q1.2.2 above, issues relating to listed buildings and conservation areas need to be considered by Broadland District Council and Historic England. We acknowledge, and are in agreement with, the response to

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question to	Response
	<ol style="list-style-type: none">1. Do the "changes" referred to in the SoCG extract include traffic impacts on historic buildings in Cawston?2. If so, have the "work in progress" amendments arrived at a satisfactory solution?3. If not, what are the outstanding issues for the listed buildings and conservation area in Cawston?	this question issued by Norfolk County Council in our capacity as Local Highway Authority.

From: [Waters, Laura](#)
To: [Norfolk Boreas](#)
Cc: [Natural Environment Team](#)
Subject: Norfolk Boreas - ExQ1 Norfolk County Council Natural Environment response
Date: 10 December 2019 17:35:44
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[Natural Environment response .docx](#)

Dear Sir/ Madam

RE: Application by Norfolk Boreas Limited for the Norfolk Boreas Offshore Windfarm: The Examining Authority's written questions and requests for information (ExQ1)

Please find attached our responses to the first round written questions relating to Natural Environment matters

Regards, Laura

Laura Waters,
Senior Planner MRTPI
Infrastructure Development
Community and Environmental Services
Tel: 01603 638038
County Hall, Norwich, NR1 2DH



Norfolk County Council



Campaign Logo



--

To see our email disclaimer click here <http://www.norfolk.gov.uk/emaildisclaimer>

ExQ1	Question	Response
2.0 Biodiversity, Biological Environment and Ecology		
2.0 General		
Q.2.0.5	<p>Ecological data Comment on the acceptability of the onshore ecological survey data [APP-235],</p>	<p>Acceptability of the Onshore Ecological Data</p> <p>1. Paragraph 85, states that approximately 65% of the field study area has been surveyed and section 22.4.1.4 <i>Approach to predicting impacts for un-surveyed areas</i> states that post-consent ecological surveys will be required (details are provided in 22.7). We note that Section 9, paragraph 134 of the Outline Landscape and Ecological Management Strategy, states that surveys of un-surveyed areas to complete the ecological baseline, are only required under Scenario 2, as under Scenario 1¹, the surveys would have been completed by Norfolk Vanguard. The results of additional surveys may lead to further mitigation at specific locations.</p> <p><i>We accept the applicant has done what they can, given access constraints.</i></p> <p>2. The survey scope is acceptable, and surveys are broadly acceptable.</p> <p>Queries Chapter 22 Environmental Statement Volume 1</p> <p>Bat Data</p> <p>3. Table 22.3 page 26. The applicant states that the final bat survey report is presented in Vanguard ES Appendix 22.5, and that further survey data was collected during summer 2018. Please could the applicant confirm where the results of the additional bat surveys undertaken in Summer 2018</p>

¹ Scenario 1. Norfolk Vanguard proceeds to construction and installs ducts and other shared enabling works for Norfolk Boreas. Scenario 2, Norfolk Vanguard does not proceed to construction and Norfolk Boreas proceeds alone. Norfolk Boreas undertakes all works required as an independent project.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		<p>are? (Appendix 22.5² contains a report from November 2017; Appendix 22.04³ contains a report from February 2018 and Environmental Statement Figure 22.8 - Bat activity results⁴ contains maps from May 2018 showing bat activity survey locations, and Environmental Statement Figure 22.9 - Bat emergence results⁵ contains maps from dated April 2018).</p> <p>4. Table 22.9 (page 30) indicates that radiotracking data and other species roost data was obtained from Norfolk Barbastelle Study Group for the onshore project area and a 5km buffer. This is a misrepresentation as the data, notably radio tracking data, relates to Paston Barn SAC only rather than, as indicated, all barbastelle roosts within a 5km radius of buffer of the entire cable route.</p> <p>5. Table 22.21 (page 78) – hedgerow loss will be restricted to that required for access beyond the two-year duct installation phase, and will be no wider than 6 m. In Table 22.23 page 84 it says hedgerow gaps will be 13m long, possibly extending to 16.5 if crossed at an angle. Please can this be confirmed. (see Chapter 5 Project description – not reviewed at this stage).</p> <p>Comments on Assumptions</p> <p>1. Paragraph 83/84. Biological records data provided by NBIS includes records made almost exclusively by volunteers, the great majority of these data are collected by amateur experts in their field. All records provided by NBIS have a</p>

² <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010079/EN010079-001566-Appendix%2022.05%20BER%20Report%20Chapter%2022%20Onshore%20Ecology.pdf>

³ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010079/EN010079-001565-Appendix%2022.04%20Bat%20activity%20surveys%20report%20Chapter%2022%20Onshore%20Ecology.pdf>

⁴ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010079/EN010079-001851-Figure%2022.08%20Bat%20Activity%20Survey.pdf>

⁵ <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010079/EN010079-001852-Figure%2022.09%20Bat%20Emergence%20Re-entry.pdf>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		<p>high level of quality control, both through verification by county experts and validation by NBIS. As with all data there may be a small number of errors, these most commonly will be due to errors in spatial referencing by the original recorder or historic data that did not have the same quality control checks as present NBIS standards. NBIS follows standards set out as part of accreditation through the Association of Local Environmental Records Centres.</p> <ol style="list-style-type: none"> 2. Paragraph 85- We agree that the Norfolk Living Map has been used to characterise habitats for the 35% of land not accessed. We also agree that a precautionary approach and agree that full surveys will be undertaken post-consent (Paragraph 86) should be adopted although it is worth assuming that both protected and notable species are present, rather than one or the other. 3. Paragraph 87 – Noted. Clearance of these areas will need to be included within the CoCP, and under the supervision of an Ecological Clerk of Works (ECoW). 4. Paragraph 88 - We do not approve of survey that are timed for the benefit of the application- surveys should be undertaken during the optimal period wherever possible (the Phase 1 was undertaken during the sub-optimal period for flora) but acknowledged that detailed botanical surveys were undertaken where appropriate. 5. Paragraph 89, 90 & 91 noted 6. Paragraph 496 (page 126) states that habitats within the landfall area are not suitable for foraging or commuting for barbastelle bats from Paston Great Barn. We would like to note that this is an assumption – it is just that the female bats radio tracked did not forage here – it is possible that males or juvenile bats do (previous studies e.g. Glover, 2013 found sexual segregation of foraging and roosting sites by Daubenton’s’ bats that is - female bats utilize the best habitats while males use poorer quality habitat) <p>Comments on Potential Impacts and Impact Assessment <i>Hedgerow Loss Paston Barn SAC Impact Assessment</i></p> <ol style="list-style-type: none"> 7. (a)We concur with Natural England’s concerns regarding onshore ecology and impacts on the barbastelle maternity colony at Paston Barns.

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		<p>(b) Replanting will eventually replace hedgerows lost, but the hedgerows will take several years to mature. Our main concern is fragmentation.</p> <p>(c) Paragraph 333 states that, with landowner permission, 16 hedgerows will be allowed to become overgrown either side of that which will be removed. This is included within the impact assessment giving an overall impact of minor adverse. Because this is subject to landowner consent and has not been formerly agreed, it cannot be relied upon as mitigation and included within the assessment. Also it will have limited benefit in the short term (i.e. between consent and loss) - hedgerows should be left to grow for a least three years (up to 10 years) to increase value to bats (Boughey et al 2019). We suggest that this should therefore be excluded as mitigation, and instead considered as enhancement. It is also unclear if hedgerows would be left to grow following completion (if at all), or how this will be secured in practice e.g. under a legal agreement.</p> <p>(d) The Dutch Case is indirectly related as it affects the impact assessment. (The Dutch Case (C 502/15) (4 May 2017) which places an emphasis on the certainty of the proposed mitigation measures. Kimblin said: <i>"Recent case law has really raised the bar on what certainty means. You have to have mitigation in place, which has scientific evidence to show that there will be no likely significant effect on the conservation status of the European site."</i>).</p> <p>(e) The impacts (especially of hedgerow loss) should be considered in combination with the Sheringham Shoal and Dudgeon extension cable route, which will potentially cross the cable route for Vanguard/Boreas.</p> <p>(f) The ES does not identify how much of the hedgerows to be lost are important hedgerows under the Hedgerow Regulations 1997.</p> <p>Notes: CIEEM EcIA guidelines were updated in September 2019.</p>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
		Note: Please note that Table 22.2 refers to Norfolk County Council's Environment Policy ⁶ . This has been now been updated (25/11/2019). The updated policy includes measures for the sustainable management and use of land; the protection and enhancement of landscapes; and to secure clean, healthy, productive and biologically diverse seas and oceans.

ExQ1	Question	Response
5.0 Development Consent Order and Deemed Marine Licences		
5.3 SCHEDULE 1 PART 3: Requirements		
Q.5.3.3	<p>Requirement 16: Detailed design parameters</p> <p>The ExA recognises the need for some flexibility in design parameters. The ExA is exploring the potential need for securing more detail because: there are residual, significant adverse visual effects; comments have been made in RRs and at the Open Floor Hearing [EV4-001] on the appearance and design of the substations; the SoS's scoping</p>	Norfolk County Council are happy that Landscape elements are being covered by the District Councils. We will be happy to be part of any ongoing discussions, but do not feel the need to add additional comments to this question.

⁶ See Page 75

<https://norfolkcc.cmis.uk.com/norfolkcc/Document.ashx?czJKcaeAi5tUFL1DTL2UE4zNRBcoShgo=%2bfuKDuD0m8GVyELbefOGgxop4Dyg8fEZyfIFpLAsdjDotsI%2bQwG2Ag%3d%3d&rUzwRPf%2bZ3zd4E7Ikn8Lyw%3d%3d=pwRE6AGJFLDNih225F5QMaQWctPHwdhUfCZ%2fLUQzgA2uL5jNRG4jdQ%3d%3d&mCTIbCubSfXsDGW9IXnlq%3d%3d=hFflUdN3100%3d&kCx1AnS9%2fpWZQ40DXFvdEw%3d%3d=hFflUdN3100%3d&uJovDxwdjMPoYv%2bAJvYtyA%3d%3d=ctNJff55vVA%3d&FgPIIEJYlotS%2bYGoBi5oIA%3d%3d=NHdURQburHA%3d&d9Qjj0ag1Pd993jsyOJqFvmyB7X0CSQK=ctNJff55vVA%3d&WGewmoAfeNR9xqBux0r1Q8Za60lavYmz=ctNJff55vVA%3d&WGewmoAfeNQ16B2MHuCpMRKZMwaG1PaO=ctNJff55vVA%3d>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	<p>opinion stated that dimensions of buildings and site layout should be provided and approvals about the substations are contained in different requirements.</p> <p>Views are sought on:</p> <ol style="list-style-type: none"> 1. whether this requirement contains enough detail on which the future approvals can be based; 2. whether more detail on the design approach for the buildings and surroundings than that contained in the Design and Access Statement [APP-694, section 5.3.3] should be secured in the dDCO; 3. whether the details of the substation required by the Outline Landscape and Ecological Management Strategy (OLEMS) [APP-698, paras 65 to 67], secured in Requirement 18 should be consolidated in one place with those set out in Requirement 16. 4. Applicant to explain the different 'existing ground levels' in para (8) and the reference to paragraph (8) in 	

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	<p>para (10); or whether the reference is to para (9)?</p> <p>5. Views are sought on whether limits should be contained in this requirement to restrict all but the converter halls to a maximum height of 13m, based on the description of the substation in the ES [APP-218, para 346]. It was explained by the Applicant at the DCO ISH on 13 November 2019 that in its opinion it is not necessary to limit all but the converter halls to 13m because the visual assessment has taken into account all the substation buildings development up to a height of 19m (parameter of the Rochdale envelope). The opinions of other IPs are requested.</p> <p>6. Should any design parameters for link boxes be set in this Requirement?</p> <p>7. Should the maximum sizes of temporary compounds (mobilisation areas and their compounds and the cable logistics area) which are set</p>	

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	<p>out in the ES be secured in this Requirement?</p>	
<p>Q5.3.5</p>	<p>Requirement 18: Provision of landscaping</p> <ol style="list-style-type: none"> 1. Resolve the timing of approvals and implementation with the article 2 definition of 'commence', in connection with sub para (2)(d) details of trees to be removed, details of trees and hedgerows to be retained and their protection measures – which might be required prior to 'commencement'. 2. Is the intention to submit the Landscaping Management Strategy (LMS) as one complete document for approval or in parts? 3. Should para (1) refer to approval by the relevant planning authorities (in the plural) as the OLEMS refers to agreeing standards with Breckland District Council and Norfolk County Council. 4. Should sub para (2)(a) set out more planting types than trees, such that it is clear that grass and ground flora areas are also covered? 	<p>Norfolk County Council are happy that Landscape elements are being covered by the District Councils. We will be happy to be part of any ongoing discussions, but do not feel the need to add additional comments to this question.</p>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	<p>5. Should sub para (2)(d) also secure an auditable system for compliance with approved protection measures?</p> <p>6. Is it correct that under scenario 1, the existing trees to be removed surveys would have been undertaken by Norfolk Vanguard [APP-698 para 141]? Or does this refer only to areas of woodland?</p> <p>7. How are hedgerow trees considered? Under R18 or under R24? How does this relate to article 35 (Felling or lopping of trees and removal of hedgerows) and Schedule 14?</p> <p>8. Should sub para (2)(f) also refer to opportunities for advance planting. If so, should a definition of 'advance planting' be provided in article 2?</p> <p>9. Does sub para (2)(h) give enough detail about the maintenance operations and duration to be included for approval by the relevant local planning authority? And should it refer to an aftercare period as set out in the OLEMS?</p>	

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	<p>10. Is it necessary to resolve discrepancies between the description of what the landscape management scheme (LMS) would include as set out in R18 and that in the OLEMS, which includes sustainable drainage design and guidance on materials and colour of the substations [APP-698, para 65]. (Also refer to comments under R16)</p> <p>11. Should the agreed procedure for joint annual inspection of all planting areas set out in the OLEMS be included as a sub para of R18 (2)?</p> <p>12. Should reference be made to the adoption of all Norfolk Vanguard mitigation planting as set out in the OLEMS [APP-698, para 141] for scenario 1?</p>	
Q12.02	<p>Method statement for crossing of River Wensum: To give clarification to the action point from the HRA and environmental matters Issue Specific Hearing on 14 November 2019: Provide a method statement to explain the cable crossing of the</p>	<p>Whilst this question is directed to the Applicant. Norfolk County Council would be keen to be part of any ongoing discussions regarding the closure of this section of Norfolk Trail.</p>

ExQ1: Tuesday 19 November 2019
Norfolk County Council Responses
Identification reference: 20022890

ExQ1	Question	Response
	River Wensum, its associated land drainage and streams, works access [APP-011, Sheet 29 of 42, AC130, AC129, AC128] and long distance trail closure; to expand on [APP-010] Works Plan Sheet 29.	